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ABSTRACT

Testimony concerning the role of intercollegiate athletics in contemporary college life is recorded in this hearings report. Big-time athletics have become an increasingly important element within American colleges and universities, and at times they appear to overshadow academics in higher education. Student athletes are confronted with pressures, demands, expectations and temptations to a degree unheard of by their predecessors a generation ago, a fact which raises the question, have the short-term excitement and revenues of athletics blinded some colleges and universities to their long-term responsibility of educating students? The purpose of the hearings was to enlighten members of Congress, and through them the general public, as to what happens in practice (how student athletes are governed, the role of the media in creating pressures, and how students are recruited). Statements are presented from Subcommittee Chairman Pat Williams; Subcommittee members E. Thomas Coleman, George Miller, and Thomas J. Tauke; Representatives Ed Towns and Tom McMillen; Reverend Timothy Healey, President, Georgetown University (Washington, D.C.); and a variety of other witnesses, including educators, sports administrators, a high school athletic director, and a sports writer. Prepared statements, letters, and supplemental materials are included. (SM)

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HEARINGS ON THE ROLE OF ATHLETICS IN COLLEGE LIFE

HEARINGS

BEFORE THE

SUBCOMMITTEE ON POSTSECONDARY EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

HEARINGS HELD IN WASHINGTON, DC, MAY 18 AND 24, 1989

Serial No. 101-22

Printed for the use of the Committee on Education and Labor

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THE ROLE OF ATHLETICS IN COLLEGE LIFE

THURSDAY, MAY 18, 1989

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON POSTSECONDARY EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:40 a.m., in Room 2175, Rayburn House Office Building, Hon. Pat Williams [Chairman] presiding.

Members present: Representatives Williams, Owens, Perkins, Miller, Lowey, Coleman, Tauke, Gunderson, Poshard, Towns and McMillen.

Chairman WILLIAMS. Good morning. I am pleased to convene this oversight hearing on the role of intercollegiate athletics in contemporary college life.

Sport fans, the general public and, of course, members of Congress have watched with concern as big-time athletics have become an increasingly important element within our colleges and universities, at times appearing to overshadow academics in higher education.

Student athletes are confronted with pressures, demands, expectations and temptations which were to a degree unheard of by their predecessors a generation ago.

The question being asked is, has the short-term excitement and revenues of athletics blinded some colleges and universities to their long-term responsibility of educating students?

We have all read about the scandals at individual institutions and heard the stories about the successes and the failures of student athletes, and I might add that we have all enjoyed the excitement of college athletic events.

Our purpose here is to enlighten the members of Congress, and through us the general public, as to what happens in practice. How are student athletics governed? What role does the media play in creating various pressures? How are students recruited? We will hear these and, I am sure, many other things discussed during this hearing.

This morning we will hear from a wide variety of witnesses including educators, sports administrators, representatives from the governing bodies, a high school athletic director, and a sports writer.

It is important to note, and I want to emphasize at this point, that this subcommittee does not have a legislative agenda prepared on this issue. We are here just to listen to your comments and concerns and suggestions and to develop a better understanding on our

part and more information for the public about what is happening in college sports today.

In advance we want to thank each of you witnesses for being with us, and those of you who have shown your interest by being here, and we also want to thank the General Accounting Office for preparing the charts that are below us. We appreciate their help.

I recognize now the Ranking Member of this subcommittee, the gentleman from Missouri, Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Chairman. I appreciate the opportunity of making an opening statement this morning before hearing from the witnesses, because many Americans today believe that our major colleges and universities put more emphasis on athletics than they do on education. This creates the impression that the tail is wagging the dog.

One purpose of this hearing today is to sort through what has been written and said about this issue and to focus attention on the appropriate role athletics has in a college education.

Like you, Mr. Chairman, I enjoy sports in high school and college, and particularly today enjoy watching college basketball. I think college sports give not only their obvious short-term satisfactions but also expose the student athlete to team-building skills so vital in today's world.

The vast majority of college athletes' sports careers, however, end when they graduate. Their college degree should prepare them for forty more years of employment.

Too many schools, particularly the larger institutions that have many of the so-called "full ride" scholarships to attract talented athletes, appear to have lost sight of the fact that they exist to provide an education to both athlete and non-athlete.

All too often winning becomes the major institutional consideration. College presidents may be hired and fired over win/loss records. Teachers complain of pressure to modify grades or grant special considerations to academically unsuccessful athletes so they can retain eligibility.

When we have this kind of pressure to win, the education system is degraded and the student athlete suffers. A recent Wall Street Journal article reported on a 1988 NCAA study of 4,100 students at forty-two schools. The sample was comprised of three groupings: varsity football and basketball players, athletes who are involved in so-called minor sports, and students who participate in demanding extracurricular activities such as band and student newspapers.

According to the story in the Journal, the survey showed that football and basketball student athletes spent more time on their sports in the season than on class attendance and homework combined. In the other groups academic time predominated. It is not surprising that the student athlete found that sports made it more difficult to excel in academics.

Other interesting findings were that football and basketball players entered college with poorer grades and test scores than other members of other student groups, and although many schools have tutoring and other educational aids available to them the football and basketball players had the lowest college grade point average of the three groups.

I think this is a very important finding. Despite the very slim chance, and it is estimated to be one in five hundred, of playing on a professional team, one in five of the football and basketball seniors said they expected to become professional athletes, a figure which is widely out of sync with reality.

Evidence is growing that student athletes either fail to graduate from college or are graduated with degrees that offer few opportunities.

Some athletes make it, but many say that they make it in spite of the athletic system rather than because of it.

Most Americans believe that if a student athlete goes to college he should be able to acquire an education and usable skills. Colleges and universities must fully assume their responsibilities as academic institutions and keep sports and their programs in perspective.

Student athletes at the same time must also take responsibility for mastering usable skills and insisting on an education that prepares them for successful careers after their athletic careers.

Thank you, Mr. Chairman. I look forward to hearing from the witnesses today and especially would like to provide a welcome to two people who reside in the Kansas City community from which I come and represent: Dick Schultz, who is the Executive Director of the NCAA, and Jeff Farris, who is the Executive Director of the National Association of Intercollegiate Activities. I welcome both of them here today.

Thank you, Mr. Chairman.

Chairman WILLIAMS. Thank you. Mr. Miller?

Mr. MILLER. Thank you, Mr. Chairman. I want to thank you very much for holding these hearings and examining the state of intercollegiate athletics today.

I think that these are very timely and very important hearings. Collegiate athletics has always been viewed as clean and wholesome activities which complement the academic curricula of colleges and universities.

For many youth, athletic scholarships have been one way to achieve the American dream of success. Yet, if media counts accurately detail what is happening in collegiate athletics today, recruiting violations, drug abuse, illegal payments, low graduation rates and the inequities between men and women's sports programs, one questions whether academics and athletics can and should coexist on campuses.

I am particularly concerned that studies have found that twenty to thirty percent of high school graduate football and basketball players are functionally illiterate and that the collegiate graduation rates for football and basketball players, many of whom are minority students, are very low.

It appears that many youth who are recruited to play sports are somehow forfeiting their right to a college education while chasing the illusive dream of a career in professional sports.

When our best and brightest young men and women leave college unprepared to succeed in the real world, when they are not helped to achieve their potential and when they return to their communities worse for their educational experience, these youth suffer, our communities suffer and our society suffers.

I bring to these hearings many questions about what the proper role of collegiate athletics for both men and women should be on campuses today and whether there is a role appropriate for the Federal Government to play.

I look forward to hearing the testimony of our distinguished panels and experts and am hopeful that they will provide this subcommittee with the guidance we need to fashion solutions to this complex and critical problem.

Thank you.

Chairman WILLIAMS. Thank you. Mr. Tauke?

Mr. TAUKE. Thank you, Mr. Chairman. Athletics have traditionally been an avenue to obtain a college education for many young people who would not otherwise have had an opportunity to do so.

There is concern, as has been indicated by my colleagues and the panel, that today athletics is occasionally taking priority over academics at our nation's colleges and universities.

It is essential that we find the right balance between athletics and academics on our nation's campuses if we are to ensure the academic integrity of our colleges and universities.

This issue recently has hit the front pages in my own state of Iowa, Mr. Chairman. It happened as a result of some incidents which caused the president of the University of Iowa, Hunter Rawlings, to suggest that freshmen not be eligible to play in intercollegiate athletics.

That sparked wide-ranging discussion in the state of Iowa. Out of that discussion I think it was clear that most Iowans did not support the Rawlings plan, but at the same time, as measured by the Iowa poll in the Des Moines Register, the people of the state of Iowa said by a seventy-five to fifteen percent margin that Iowa's universities should enforce rigid academic standards even if that leads to losing sports teams.

So I do believe that, despite the occasional perception that it is the fans who drive the universities and colleges of our nation to inappropriate policies, in fact the fans do want the proper balance struck between academics and athletics.

It seems to me, Mr. Chairman, that we need to look beyond the problem at the universities and colleges and what standards they enforce. It seems to me that there may be more of a systemic challenge that needs to be looked at.

You know, if you are a baseball player in high school today and you are a star, you have a reasonable chance at the time that you graduate from high school of ending up on a professional baseball team. However, if you are a football or a basketball player the route to using your talents to make money, to become a professional, is through the colleges and universities.

Now, not every great athlete is also talented academically. I do not know that it is appropriate that we limit the opportunities available to our great athletes by requiring that in order for them to succeed they have got to go through college first, yet that seems to be the structure we have set up in some sports.

A challenge obviously confronts college athletics, one that must be addressed. I hope that this morning's hearing will shed some light on how the appropriate balance between academics and athletics can be achieved.

Thank you, Mr. Chairman.

Chairman WILLIAMS. Thank you. Mr. Perkins, would you care to make an opening statement?

Mr. PERKINS. No, thank you.

Chairman WILLIAMS. All right. We have a member of Congress with us who, although not a formal member of the Postsecondary Education Subcommittee, is very interested in this topic, and we have invited him to be with us here today.

Congressman Towns, we are delighted that you accepted our invitation and showed the eagerness to be with us. Do you have an opening statement?

Mr. TOWNS. Thank you very much, Mr. Chairman, for allowing me to sit in.

I have had a longstanding interest in college sports. Being a former student athlete, I know about the campus excitement that is generated by a winning season and the sense of pride that comes from being a part of a winning team, but I am also aware of the high cost to our higher education system when there is an imbalance between athletics and education.

My concern is, and continues to be, what are colleges and universities doing to insure that student athletes graduate? I have my own ideas, along with my colleagues Tom McMillen and Bill Bradley, about the best way to restore a balance between sports and education.

I am sure that Senator Bradley will be able to expound on our approach in his testimony later on this morning.

In addition, the time that you have given Tom and myself next week will allow us an opportunity to present some additional information about our legislation, the Student Athlete's Right to Know.

I am here this morning, Mr. Chairman, to gain some further insight from the people who are in charge of college sports in America today. I am anxious to learn more about the problems, solutions and how we can be most helpful to that process.

Again, thank you, Mr. Chairman, for allowing a gentleman to come over from Public Works and Transportation and rub shoulders with the educational community.

Thank you very much.

Chairman WILLIAMS. Well, we are glad to have your shoulder to rub.

The legislation, of course, that Mr. Towns is referring to is a bill of which he is the cosponsor. It is H.R. 1454. We are going to have an additional hearing on that legislation before this subcommittee next Wednesday. However, Senator Bradley, who is the chief sponsor of the legislation in the Senate, cannot be with us next week and so we have granted him permission to come before us as the final witness this morning. Senator Bradley will be testifying on that legislation previous to the regular hearing.

Mr. Owens, do you have an opening statement?

Mr. OWENS. No, Mr. Chairman. I ask unanimous consent to present a written statement for the record later on.

Chairman WILLIAMS. Without objection.

[The prepared statement of Hon. Major Owens follows:]

Opening Statement of Congressman Major Owens
Subcommittee on Postsecondary Education
Hearing on Student Athletes
May 18, 1989

Mr. Chairman, I thank you for holding this series of hearings on the status of our student athletes in higher education, for it gives us the opportunity to discuss several very important issues. Educational experts have shown through statistics that Black men are disappearing from higher education. High School graduation rates among the Black community have been increasing, while at the same time the rates of Black men attending and graduating from institutions of higher education have been falling. The education community has been discussing the dire need to reverse this trend. One avenue into higher education for young Black men is through the sports arena. The NCAA's Proposition 42, is unfair to all athletes in higher education, and is a giant step backward in the struggle to include more Black men in the higher education community.

In the university setting, there have always been and probably will always be several special classes of students. These have included musicians, prodigies in one special subject such as math, accomplished writers and poets, children of alumni, and athletes. These special students are valued and privileged members ofany college community. As students, they may be admitted primarily because of these demonstrated special talents, though they may be lacking in other areas of academia. As teachers, a prize winning writer who never graduated from college or received a Ph.D. may be asked to come to the institution as a professor, based on

demonstrated talents and accomplishments. This increases the diversity of the school and the richness of the school's community.

Athletes contribute much to any institution of higher learning. The Greeks, from whom we have borrowed most of the tenets of our higher education system, believed that in education you exercised both your mind and your body. They saw athletic competition as a primary means to learn about gamesmanship, honor, teamwork, and much more. Athletics was an integral part of their educational system and their daily lives.

In our institutions, there has been concern that athletes be given the same educational opportunities as other students at the college. Prior to now this concern manifested itself in the form of extra assistance, special tutors, and special support services for the athletes. Prior to now, Blacks represented a minority in all aspects of college life, including athletics. Now, when Blacks are beginning to constitute a majority in some sports arenas in the colleges, there is a new movement to **test** these students **out** of college life. If there are new problems on college campuses with student athletes, the responsible move would not be to eliminate these students from the population, but to expand existing services to better assist these students and their changing needs. If musicians on the college campus were deemed to be lacking in academic achievement, there would be no mention of cutting their student aid or their educational opportunities.

Proposition 42 will prevent many student athletes from attending the college of their choice because they did not perform as well as other students on various tests. These students have demonstrated a special talent, similar to many other admitted students, and are being admitted to the school based on those special talents. As students, it is expected that the institution will take appropriate action to give these students whatever assistance they need to be able to be competitive in the academic arena as well as the sports arena. Denying these students financial aid will keep many of them out of college. It is denying them the opportunity to use their special abilities to better themselves as some musicians or math prodigies are allowed.

Proposition 42 is uncomfortably reminiscent of the testing imposed on jockeys in the early 1900's to exclude Blacks from racing. The white controlled Jockey Club decided that all jockeys must pass written tests to be eligible for licenses, effectively excluding Blacks from the sport. Preventing student athletes from attending college because they cannot pass a test will hurt those students coming from poor and minority communities with below-standard educational facilities. It will eliminate from the college sports scene a significant number of minority students, and it will decrease the number going into professional sports.

Most major educational associations have been fervently asserting that they must do more to educate and graduate more minority students in their colleges. The Center for Sports in

Society finds in a recent study that 80% of Black athletes who entered Division I schools in 1981 would have been denied scholarships by those schools if Proposition 42 had been in effect then. There is no one who can say that these students would be "helped" by Proposition 42. Instead of hurting the students who have been denied so much by the educational establishment throughout their lives, the NCAA should focus more attention on highlighting the problems that produce educationally disadvantaged students in the first place.

The NCAA has said that Proposition 42 is simply an attempt to elevate the academic position of student athletes. But Proposition 42 is a bad rule. Worse than that, it is an inherently racist rule. One which seeks to rectify a situation by getting rid of the evidence that proves there is a problem, rather than correcting the problem. The NCAA and all educational institutions must look carefully at this rule and at the history of racism in sports which this rule will be perpetuating. In order to improve the condition of the student athlete, programs and resources must be devoted to assisting them. Shutting them out of the system is unfair and unneccessary. This is not a solution; for many young, Black males it is a potential catastrophy.

Mr. Chairman, I hope that through these hearings we will be able to shed more light on the condition of student athletes in our institutions, and be able to identify some more suitable ways to meet their special needs.

Chairman WILLIAMS. I will ask our first panel of witnesses to come forward, Mr. Atwell, Mr. Deford, Mr. Schultz and Mr. Farris.

Bob Atwell is the President of the American Council on Education. Mr. Atwell, it is nice to see you before this panel again. Please proceed. Before you do, let me tell you and all of our other witnesses that, as you know, in our letter of invitation we mentioned that we hope to conclude the hearing this morning and thus we are hopeful that you can limit your verbal testimony to about five minutes. We have testimony from each of you and that, of course, will be included in the record, so your full remarks will be included.

However, if you find that your written statement will go longer than five minutes, we would appreciate it if you could summarize it so that as we move toward the end of our hearing today people have ample time for both their testimony and to receive questions from the panel.

When we get a little past five minutes, if you hear a light tapping of the gavel here, I would appreciate it if you would only take another minute or two and then conclude. We will try to be generous with it, but we do have a fairly lengthy list of witnesses and only this morning to hear each of you in the kind of detail that you would like and we would like.

Mr. Atwell, please proceed.

STATEMENT OF ROBERT H. ATWELL, PRESIDENT, AMERICAN COUNCIL ON EDUCATION

Mr. ATWELL. Mr. Chairman and members of the subcommittee, I will summarize my testimony and ask that my full statement be introduced for the record.

I would like to make several points. First, there are hundreds of thousands of young men and women who compete in intercollegiate athletics and hundreds of thousands more who compete in club and intramural sports in probably over two thousand American colleges and universities which offer these opportunities.

For the overwhelming proportion of these students, and they are students first and athletes second, athletics is simply and profoundly both an important part of the learning and growing experience and a reflection of the belief in the Greek ideal of the close relationship between a sound mind and a sound body.

You will never read about most of these young people in the sports pages, but it is important that we not lose sight of the fact that they are what intercollegiate athletics is really all about.

Within the past month I have had the opportunity of visiting several small private colleges. It is gratifying to see very high athletic participation rates, in some cases approaching fifty percent.

My second point is that the media has chosen to focus its attention at the intercollegiate level almost exclusively on football and men's basketball. In doing so, they have diverted our attention from the essentially wholesome dimensions of what goes on in most sports in most colleges most of the time.

Even if we look at Dick Schultz' roughly eight hundred institutional members of the NCAA, there are still more institutions and

more athletes in the far less intensive programs of Division III than in the nearly three hundred Division I programs.

Third, and having offered the above qualifications, I believe that we have in big-time intercollegiate athletics—which really means football in less than one hundred institutions, men's basketball and baseball in less than two hundred institutions and ice hockey in maybe twenty-five institutions—we do have some major systemic problems that have, however unjustified, cast a shadow on the credibility of all colleges and universities.

I say systemic problems because I believe the problem goes far beyond getting rid of the bad apples. If we were able to get rid of all of the bad apples, and Dick Schultz is certainly trying his level best to do so, we would be left with the serious issues of overcommercialization, the corrupting and distorting influence of money and the other pathological manifestations that I have tried to set forth in my prepared statement.

Well, what to do. I have suggested six steps. First, break at least some of the connection between money and winning.

Second, cut the length of the season in baseball and football and do not allow the football play-offs now being proposed. I would also cut the season in basketball. There are financial implications to this that we need to face up to.

Third, insist on some institutional subsidy of intercollegiate athletics in order to promote campus discussion on the appropriate role of athletics.

Fourth, eliminate freshman eligibility in football and basketball and severely limit practice in that year and eliminate all spring practice in football.

Fifth, eliminate athletic scholarships and rely entirely on need-based aid.

Sixth, provide long-term contracts for coaches in exchange for the acceptance of codes of conduct in addition to adherence to NCAA and conference rules.

I would, of course, be pleased to develop more fully both my diagnosis and prescriptions.

Mr. Chairman, the appropriate role for the Federal Government includes the activity in which you are engaged today, namely putting a spotlight on the problem and conveying the message that the Congress expects improvement.

If that activity were to be accompanied by the kind of presidential leadership that led President Theodore Roosevelt in another era marked by scandal to call in the college and university presidents and tell them to clean up their own house, an action that led, by the way, to the formation of the NCAA, then I think we would have defined an appropriate Federal role.

Thank you very much. I would be happy to answer your questions.

[The prepared statement of Robert H. Atwell follows:]

TESTIMONY TO:

SUBCOMMITTEE ON POSTSECONDARY EDUCATION
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES

MAY 18, 1989

PRESENTED BY:

ROBERT H. ATWELL, PRESIDENT
AMERICAN COUNCIL ON EDUCATION

Mr. Chairman and members of the Subcommittee:

Thank you for the opportunity to testify at this hearing on intercollegiate athletics. Although I am president of the American Council on Education, the umbrella association for the nation's colleges and universities, let me emphasize that I am testifying today not on behalf of ACE's member institutions, but as someone who has been a long-time observer and sometime participant in efforts to reform intercollegiate athletics.

In looking into this subject, I suggest that this subcommittee ask two significant questions. First, are the well-publicized problems that plague big-time intercollegiate athletics simply isolated cases in an otherwise healthy enterprise, or is the system basically unhealthy, a condition which goes far beyond the need for stricter enforcement and some modification of the present rules?

And second, if the problems of intercollegiate athletics are systemic rather than isolated, what can be done to correct them, and is there a role for the federal government?

Based on my observations, I believe there is a major set of systemic problems that must be addressed if we in higher education are serious about restoring public confidence in intercollegiate athletics. If my view is correct, then we must take care to diagnose and treat the underlying pathology, lest we deal only with the symptoms.

But I also believe that the fundamental responsibility for dealing with these problems lies with the institutions that sponsor these activities, and there is only a limited amount the federal government can do that would be appropriate or effective.

In the past few years, the national governing bodies of intercollegiate athletics, the athletic conferences, and individual institutions have developed tougher sanctions against abuses and been far more rigorous in enforcing their rules. The current leadership of the NCAA is certainly determined to act against rules violators and is seeking other ways to assure the integrity of intercollegiate athletics. Dick Schultz and his staff deserve our support, and we all should be working with them on this effort.

However, while I applaud these steps, I do believe they should not be confused with long-term solutions.

Let me first assert that the efforts to keep the football programs of about 100 institutions and the basketball programs of perhaps 200 institutions -- out of a total of almost 3400 -- free of scandal are being overpowered not by the forces of evil but by economic and social forces more potent than many of us realize. The problems that have afflicted substantial numbers of programs in this relatively small group of institutions have brought discredit by association to all of American higher education, not just in athletics and not simply to the institutions affected directly. Thus, all of us in higher education, irrespective of division or place within our institutions, have a stake in the reform of the big-time programs.

Parenthetically, I am aware that serious problems can be found in baseball, hockey, and track -- just to name three other sports -- but those problems pale when contrasted with the problems associated with football and basketball.

Some elements of "the problem" include an over-emphasis on winning at the expense of other values; an over-concern with spectator sports and spectator facilities as opposed to better facilities for, and more emphasis on, participation in lifelong fitness activities; a tolerance for the academic compromises that stem from the economic and social pressures and a thoroughly perverse tendency, when comparing institutions, to suggest a link between athletic accomplishments and institutional quality or prestige.

Let me describe what I believe to be the underlying causes. First, we live in a sports-crazed society, in which collegiate and spectator sports generate billions of dollars at the gate and in television advertising, not to mention gifts from the more affluent among the college faithful. The spectator sports craze is fed and accentuated by the media. The press dwells almost exclusively on big-time college and professional football, basketball, and baseball to the exclusion of the less well-known institutions and the less spectator-oriented sports.

Anyone who deals with the sports press knows how overstaffed are the sports departments of many newspapers compared to the regular news desk. Only a few of the major newspapers in this country have even one full-time education writer, but the lowliest local paper has a sports staff that has to keep busy by overreporting the big-time programs while giving short shrift to virtually everything else. The media may not have created our fixation with sports, but the media often have spoken with forked tongue about the problem, and certainly are not part of the solution. There is a hypocritical tendency on the part of some sports editorial writers to decry the scandals in big-time athletics while ignoring the plain fact that their own reporting and editorial policies have been major contributors to the problem.

But the media only aid and abet the less wholesome dimensions of the sports fixation. As parents who would rather watch sports than introduce our kids to lifelong fitness activities, as school board members and school district taxpayers who permit ex-coaches to teach social studies or to divert excessive resources to athletics, as newspaper readers who first open to the sports pages, as fans who demand the

heads of losing coaches, as booster club members who would rather contribute to athletics than to academics, and as faculty representatives who become seduced by the "perks," we are all in varying degrees guilty as charged.

A second cause of our problem in intercollegiate athletics lies in the economic realities of the big-time programs. It is very expensive to run a program of 12 to 15 sports each for men and women at the highest level of competition. One of the supreme ironies in college athletics is that the institutions that emphasize athletics the most are the ones that subsidize it least. It is the NCAA Division II and III institutions and some of the I AA institutions that treat athletics as another college or university activity worthy of at least some institutional resources. But most of the institutions with big-time programs insist that intercollegiate athletics pay for itself.

What that really means is that football and/or basketball must make enough to carry those sports and everything else. For most institutions, this is asking a lot. The only way to accomplish this economic objective is to sell tickets, attract television, make the basketball playoffs or football bowl games, and attract financial support from the booster clubs. All too often, the budget is balanced by booster club gifts, and it is axiomatic that the more important booster support is to the finances of the program, the more influence the boosters will wield.

While bowl game and television revenue sharing eases the pressure to win somewhat, particularly in football, the fact remains that the only sure way to generate the income is to win. And the only way to win is to have the best (read highest-priced) coaches and the best athletes. Thus the temptations to cut the rule-book corners. It is a vicious cycle in which schools have to make more money to spend on more things and on and on and on. If one had to point to a single factor among the many that have corrupted college sports, it would be money.

The growing relationship between professional sports and intercollegiate football and basketball programs is a prominent and very troubling aspect of the role that money now plays at the college level. The perception that college sports have been professionalized has contributed to the growing public cynicism. The lack of clarity in the role of agents and the perception that colleges have become, in effect, the minor leagues for professional football and basketball are very troubling for anyone who believes in the amateur student-athlete model.

The need to succeed on the field and balance the budget has caused some severe academic compromises. Some of the worst excesses pertaining to initial eligibility and satisfactory progress (including the phenomenon known as majoring in eligibility) have been addressed in recent years by the NCAA through such legislation as Proposition 48. But the fact remains that too many programs and too many coaches still care more about eligibility than education.

And the problem really extends into the public schools and into the family structure of the nation. The dream in the heads of so many youngsters that they will achieve fame and riches in professional sports is touching, but it is also overwhelmingly unrealistic. Parents and teachers should be telling kids that they ought to get an education because the chances of them becoming professional athletes are somewhere between slim and none. That mind-set is developed long before college, but colleges have an obligation to make it clearer than they have to the students, the parents, and the schools that very few people make a living in professional sports. Unfortunately, I could argue that college coaches may have a vested interest in perpetuating the myth rather than pointing out its inherent fallacy. The academic responsibility of colleges increasingly will extend to the elementary and secondary levels because education is really all one system, a seamless web.

One of the academic compromises necessitated by the present structure of big-time athletics is the diversion of governing board and CEO attention. I know many college presidents who resent the time and vigilance they must give to athletics, which is by no means at the academic center of the institution. Presidential attention to the academic enterprise suffers considerably from the pressures of athletics, and presidents often have been guilty of giving mixed messages to coaches and athletic directors: play within the rules but be sure to win.

And governing boards, more often than not, are part of the problem rather than part of the solution. It is ironic how much attention governing boards can give to the hiring or firing of a football or basketball coach and how little attention they give to the building of the physics department. Faculty oversight has long since ceased to be effective in most institutions.

There is a working assumption in higher education that winning athletic programs equal winning seasons with legislators and donors. I have heard that one argued both ways, but it is a little like the predicament of the rather unselective private college facing the question of investing in the admissions program. There may be no relationship between the size of the admissions budget and the success of the admissions program, but one dare not run an experiment designed to show that the relationship does not exist.

And so some presidents look the other way when the booster clubs generate millions for athletics while the academic programs are starved for gift support. My own untested hypothesis is that athletic success breeds gifts for athletics but not for much else, and that legislative support is largely a function of other factors, most notably the fiscal condition of the state.

If we do have the kind of systemic problem I have described, what can we do to address it. Let me outline six steps that can be taken.

First and foremost, we must try to break the insidious connection between money and winning. The National Football League distributes its television money equally among the 28 franchises. At the college level that is done somewhat within conferences, but certainly not within Division IA as a whole. Indeed, I would think that the effect of the free market for football television since a lawsuit by the Universities of Georgia and Oklahoma brought the NCAA "monopoly" to an end has been to concentrate the television income on even fewer institutions than was previously the case. In basketball there seems to be less sharing than in football, particularly when it comes to the NCAA Division I men's tournament. I have always been intrigued by Al McGuire's idea of dividing the NCAA postseason pot of gold by the 275 or so institutions that play Division I men's basketball.

Second, to recognize the salience of academic values, I would cut the length of the season, particularly in baseball and basketball. More than 85 baseball games is simply incompatible with the student-athlete ideal, and a basketball season that begins with practice on October 15 and ends after the first of April is an academic travesty. Postseason conference basketball tournaments are a redundancy justified and motivated only by the money they generate. I think the notion of a postseason college football playoff now being explored by the College Football Association is a perfectly awful idea, and I subscribe to Georgetown University President Tim Healy's proposal to have no basketball games before Christmas and none after March 15.

Third, because the first two ideas would cause financial hardships for many programs, I would argue for an institutional subsidy of athletics. If athletics is so important to the institutions with big-time programs, then the programs deserve better than being regarded as self-supporting "auxiliary enterprises." Indeed, the very term is completely at variance with reality. If athletics had to compete with chemistry and economics and the admissions office for budgetary support, one would see some spirited controversy on the proper role of athletics on a college campus. But we should not expect athletic directors to perform miracles such as balancing the budget with less revenue and the same number of sports at the same level of competition.

Fourth, I would move to eliminate athletic scholarships, relying entirely on need-based aid with athletes treated the same as other students. I am aware of the argument that athletes generate so much income and spend so many hours in practice and competition that they should be rewarded for their efforts. But if we are serious about the amateur model, the commercial argument holds no water; and if we are not serious about the amateur model, the "wages" in many cases should be considerably higher. If we insist on continuing athletic aid, then I think we should provide a full fifth year of support in recognition of the fact that the average student does not graduate in four years and, as the NCAA's recent study showed, athletes have so many demands put upon them that it is unusual for them to graduate "on time."

Fifth, I would move to eliminate freshman eligibility in the sports of football and basketball, and would severely limit, if not eliminate, organized practice in that year. In addition, I would not have junior varsity or freshman teams. As a supporter of Proposition 48, I believe it was a step in the right direction -- a belief that was bolstered by the experience and the statements of several athletes on the University of Michigan national championship basketball team. But we could send an even more powerful message in saying that because of the unique pressures of football and basketball, students should become academically established before participating.

Sixth, coaches routinely should be given long-term (say, five-year) contracts, and those contracts should be subject not only to the NCAA and conference rules but also to appropriate conduct on the court or on the field. Coaches ought to be given a measure of job security in recognition of the pressures and, in return, they should be held to a code of conduct that befits a representative of an institution of higher learning: no baiting of officials, no tantrums, no abusing of athletes, and a concern for fair play and sportsmanship. Finally, coaches should be expected to stress the supremacy of education over athletic participation.

To bring about any or all of these and other desirable reforms calls for both courage and political organization at all three levels: the institution, the conference, and the governing body. Everything starts at the institutional level and it starts with the committed leadership of the CEO, supported by the governing board. Because athletic disarmament, as a practical matter, can never be unilateral, there must be agreement at least within conferences.

I'm sure you have noticed that nowhere in these proposals have I mentioned a role for the federal government. In my view, an appropriate federal role is illustrated by this hearing and by the kind of leadership asserted by President Theodore Roosevelt when, in response to the scandals of another era, I understand he called in the presidents of some of the colleges and universities and told them to clean up their act. That trip to the woodshed led to the formation of the National Collegiate Athletic Association.

If the holding of this hearing and the one scheduled for next week sends a signal to the colleges and universities and to the NCAA that the Congress believes there are serious problems in big-time athletics and is impatient with the pace of reform, then I think the effort you have put into the hearings will have been more than worthwhile. It may even be desirable to pass legislation along the lines proposed by Representatives McMillen and Towns and Senator Bradley, requiring NCAA Division I institutions to disclose the graduation rates of athletes in comparison with the total student body. I would hope that individual institutions and the NCAA, the latter at its next convention, would, as an act of voluntary self-regulation, carry out the intent of this proposed legislation and thus make its enactment unnecessary. The intent of the legislation is commendable, and I would

recommend to the ACE Board that it be supported if the NCAA does not enact a similar requirement in January.

But the fundamental systemic problems with big-time intercollegiate athletics are not susceptible to federal legislation or regulation. I applaud the efforts being made by the NCAA to tighten its enforcement activities and to levy tougher sanctions against offending institutions. But the problem must also be addressed at the conference and campus levels. Some of the most promising leadership is now being asserted at these levels, through presidential initiatives. However, presidents need the help of their governing boards and others as they move to gain control over programs, in some of which the athletic boosters have come to assert excessive control. It is through the efforts of presidents on their own campuses and in conferences and at the NCAA level that the systemic problems can be addressed.

In sum, I believe the best role for Congress is to do just what you are doing: expressing your concern, as citizens as well as legislators, and helping to throw light on a complex and difficult problem.

Thank you very much, and I will be pleased to answer your questions.

Chairman WILLIAMS. Thank you, Mr. Atwell.

Frank Deford is a sports commentator and a former senior editor for Sports Illustrated. Mr. Deford, it is nice to see you here today. I look forward to your testimony.

STATEMENT OF FRANK DEFORD, COMMENTATOR, N.B.C. SPORTS

Mr. DEFORD. Thank you, Mr. Chairman and members of the subcommittee.

Big-time college athletics, and that is what I am only talking about, big-time, has always been a scandal and I believe will always be one unless major constitutional changes are made in both the whole structure and the spirit of the enterprise.

The system—and it is important to say this—is peculiar to America. It is simply illogical, unnatural and, above all, it is quite un-American, and we have known that for generations.

Big-time college athletics today is a professional game that poses as amateur. It is, so far as I know, the only business in this country which seeks to use free labor. It is governed by an organization, the NCAA, which for all its many good offices was never meant to be a police authority and which perforce has historically dispensed very capricious justice.

Big-time college athletics are a handmaiden to professional football and basketball. The term "student athlete" is by and large an oxymoron. The creed and the excuse alike for big-time athletics is, as we just found out in Iowa, everybody does it.

Above all, big-time college athletics degrade higher education in this country. That is the worst of it.

Those of us in my business, sports journalism, contribute significantly to this shame. We help justify big-time college athletics on the grounds that they attract attention and funds to the benefit of education at the various colleges. However, there is no evidence that I have ever seen that this rationale is correct.

Those alumni and other citizens who truly seek to support academics will do so generously without being impressed by an invitation to a bowl game.

Rarely does any money raised for big-time athletics, either at the box office or through contributors—who, by the way, earn a tax deduction on the premise that they are donating to education—almost never does any of that money ever leave the athletic department to enhance the whole university community.

Ironically, it is the schools we never read about in the top tens who are truly most genuinely committed to the spirit of intercollegiate athletics.

For example, ivy league schools spend out of pocket around four million dollars per school per year on sports, but many of the big-time football and basketball colleges spend not a nickel of their own on sports. They simply produce spectaculars using whatever box office profits there may be left over to prop up a few of what is known baldly as—not minor sports now—but non-revenue sports.

Sadly, in many public institutions the bulk of real students are denied a proper physical education while a handful of NBA and NFL trainees are given the lion's share of athletic funds and facili-

ties to perform for the prime benefit of ticket buyers and television viewers who care not a whit for the educational institution itself.

This sort of elitism has no place in American education, public or private, yet it is difficult really to single out individuals for blame.

We in the press love to discover villains and regularly we turn up coaches and administrators and players who cheated, or the ones who got caught cheating, but there really are not any true villains here. It is just a case of many good people being trapped in a very bad system.

The system is what is villainous, and I believe it is time to correct that system. It will be difficult to even reform intercollegiate sports. If nothing else, billions of dollars in arenas and stadiums have been constructed recently and those expenditures can only be justified by bigger and bigger big-time college athletics.

Many of us in the media have jobs dependant on college sports remaining as primarily show business, and we work hard to fill those arenas.

Indeed, television and other forces are now trying to pollute high schools with the same pernicious evils that have already tarnished colleges. The siren song for big-time national high school sports is now everywhere being sung.

Speaking as a citizen rather than professionally as a journalist, what I urge this committee to foremost consider that big-time college sports are not just corrupt, but that they are corrupting American education.

Surely it has been clear all along for a century now that athletics and education do not mix. Everybody else in the world seems to understand this. Alone in the world the United States colleges and universities embrace professionalized sports and sports show business. Alone in the industrial world today our educational system is deteriorating.

It is simply naive to think that there is no connection between those two facts.

With their cynicism and hypocrisy as well as their alluring glamour, big-time college sports are soiling college, soiling higher education and soiling our faith in education.

I simply do not think, Mr. Chairman, that we can tolerate it any longer.

Thank you.

[The prepared statement of Frank Deford follows:]

May 18, 1989

To the House Subcommittee on Postsecondary Education

From Frank Deford,
editor-in-chief of a new national sports daily newspaper
commentator, NBC Sports

Mr. Chairman,

Big-time college athletics has always been a scandal and will always be one unless constitutional changes are made in the whole structure and spirit of the enterprise.

The system -- which is peculiar to America -- is, simply, illogical, unnatural, and, to employ an old expression, un-American. Moreover, everybody has recognized this for generations. Except perhaps in gross detail, I doubt whether this committee will learn anything of consequence that it could not have read about in the daily press years, even decades ago.

Of course, never fear that you will be disappointed. You can rest assured that because of the greater amounts of money and publicity driving bigtime college athletics today, there is more corruption in more universities than ever before.

Big-time college athletics today is a professional game that poses as amateur. It is, so far as I know, the only major

business in the country which uses free labor. It is governed by an organization, the NCAA, which was never meant to be a police authority, and which, perforce, dispenses capricious justice. A recent study by a professor at the University of Mississippi concludes that the NCAA is a classic cartel in the image of OPEC -- only, of course, OPEC hasn't got a television contract. Big-time college athletics are a handmaiden to the professional football and basketball leagues. The term student-athlete is, by and large, an oxymoron. The creed and the excuse alike for big-time athletics is: everybody does it. Big-time college athletics degrade higher education in this country. That is the worst of it.

Those of us in my business, sports journalism, contribute significantly to this shame. We help justify big-time college athletics on the grounds that they attract attention and funds to the various colleges. However, there is no support that I have ever seen (except for the occasional anecdotal evidence) that this rationale is correct. Those alumni and other citizens who truly seek to support education will do so generously without being impressed by an invitation to a bowl game. And rarely does any money raised for big-time athletics --either at the box office or from contributors, who earn a tax deduction on the premise that they are donating to education -- ever leave the athletic department to enhance the whole university community.

Indeed, for practical purposes, most big-time athletic departments stand pretty much alone, not as part of the university whose name is on its uniforms, but as an independent, autonomous organization, which, more or less, uses the university as a client, buying goods and services in the form, say, of classroom rental for transient athletes.

Ironically, it is the schools we never read about in the top tens who are truly genuinely committed to athletics. For example, Ivy League schools spend, out of pocket, around $4 million per school per year on sports. But many big-time athletic colleges spend not a nickel on sports. They simply produce football and basketball spectaculars, using whatever box office profits there may be to prop up a few of what are known as, baldly, "non-revenue" sports. Sadly, in many public institutions, the bulk of real students are denied a proper physical education, while a handful of NBA and NFL trainees are given the lions' share of athletic funds and facilities.

This sort of elitism has no place in American education, public or private. Yet it is difficult to single out individuals for blame. We in the press love to discover villains and regularly we turn up coaches and administrators and athletes who cheated...or, anyway, who got caught. But there really aren't many true villains. It is just a case of many good people trapped in a bad system. The system is villainous; it is time to correct the system.

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First of all, understand: we do not need bigtime athletics in college. The pros do a better job of being pros than do people who are pros and pretend otherwise. But, of course, it will be difficult to reform intercollegiate sport. If nothing else, billions of dollars in arenas and stadiums have been constructed recently and those expenditures can only be justified by bigger and bigger big-time college athletics. Many of us in the media have jobs dependent on college sports being show business, and we work to fill those arenas. Indeed, television and other forces are now trying to pollute high schools with the same pernicious evils that have already tarnished colleges. The siren song for big-time national high-school sports is now being everywhere sung.

But speaking as a citizen rather than professionally, as a journalist, what I urge this committee to foremost consider is not just that bigtime college sports are corrupt, but that they are corrupting American education. Surely, it has been clear all along that athletics and education don't mix. Sports are sexy and glamorous and fun, and they're simply going to overshadow education. Everybody else seems to understand this. Alone in the world, the United States' colleges and universities embraced professionalized sports and sports show business. And alone in the world, our education system is deteriorating.

It is simply naive to think that there is no connection. With their cynicism and hypocrisy, as well as with their allure and flesh, bigtime college sports are soiling college, soiling higher education, soiling our faith in education. There are enough other amusements around for us, so that we shouldn't have to pay that price for this unnecessary entertainment.

Chairman WILLIAMS. Thank you.

Dick Schultz is the Executive Director of the National Collegiate Athletic Association. Mr. Schultz, you are kind to be with us today. We will look forward to your testimony.

STATEMENT OF RICHARD D. SCHULTZ, EXECUTIVE DIRECTOR, NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

Mr. SCHULTZ. Thank you, Mr. Chairman and members of the committee. I will refer to the statement that has been provided to you as the basic part of the testimony and would just like to visit with you for a couple of minutes about some things that I think will be important in helping you to understand the NCAA's role in intercollegiate athletics.

As was mentioned earlier, the NCAA was really formed back in 1905 when President Roosevelt, Theodore Roosevelt, called a group of educators to Washington, D.C. The concern at that time was the high number of injuries and deaths in intercollegiate football. Following 1906, the NCAA was formed as a governing body for intercollegiate athletics.

The organization was so small that for much of its history it operated only as a part-time entity, most recently out of the Big Ten Office. Some thirty-eight years ago the membership grew in size to the point where they felt that they could hire a full-time executive director.

At that time there was a young person working in the Service Bureau of the Big Ten by the name of Walter Byers. He was offered the job and became the first executive director.

Now, most people feel that the NCAA offices are in Mission, Kansas because it is a national organization and that is the central part of the United States. That is really not true. They are there because that was Walter Byers' home town, and when he became the executive director he took the organization home with him.

The NCAA is a voluntary, unincorporated organization of about 1,020 members. Eight hundred of those are colleges and universities. The balance are affiliated conferences, associated members and so forth.

The common perception of the NCAA is that it is some bureaucratic organization in Mission, Kansas that makes a lot of rules that no one understands and places your individual schools on probation.

Actually, nothing could be further from the truth. The NCAA is the 1,020 members. They each have one vote. It takes six member institutions at a minimum to propose legislation or the Presidents' Commission or the NCAA Council, and the convention as a whole to vote on it.

As the executive director, neither I nor my staff have the ability to make rules or change rules.

In joining the NCAA the individual members do give up some rights, but those rights are given up in order to establish basically a level playing field when it comes to recruiting regulations and it comes to scholarships and other forms of regulations that have been introduced over the years.

I am not here to tell you that there are not problems in intercollegiate athletics. I would not necessarily disagree with all of the things that the previous speakers have said, but I do think it is important that people realize that the NCAA has not been sitting idly by.

It has been a very proactive organization. Unfortunately, as many things occur in higher education, the results follow several years behind the implementation of programs.

A number of the athletes that have been referred to in the media recently, either those involved in lawsuits, those that the Congressman mentioned earlier from the University of Iowa and others, those situations could not exist today because of legislation that took place several years ago.

All of those athletes that were involved in academic scandals were those who were admitted prior to the initial eligibility rule and prior to the inclusion of the academic progress rule.

In 1985 the Presidents' Commission took very firm action to deal with recruiting rules violations. Out of that came a number of severe penalties and a complete change in the way the Infractions Committee operates.

We recently have advocated new programs to establish complete integrity in intercollegiate athletics, a certification program that we hope will be accepted by the membership in January that would compare athletes with the rest of the students in all areas, in admission requirements, in academic progress and in graduation rates.

It is very difficult to establish national standards for all of those, but it is very simple to compare the athlete with the rest of the students at that institution.

We hope that this will be well received. It has been at this point by both the Presidents' Commission and the NCAA Council, and we are hopeful that the membership will feel the same way in January.

Finally, I might point out that it has been my observation, not only in the short time I have been Executive Director of this association, but also in the years that I was involved in coaching and as an athletic director, that if you closely analyze those institutions that have had a serious problem, it has usually been the result of one of two situations.

Either a coach has become so powerful that they can circumvent the normal chain of command with the athletic director and the chief executive officer and get involved directly with governing boards or alumni to create situations that are to their advantage, or the reverse has happened—governing boards or alumni have become so involved that they, in turn, have circumvented that chain of command and have involved themselves directly with coaches and athletic programs. In either case it has usually been a disaster.

We can legislate and we can talk about rules that will complete and guarantee integrity, but in my mind we cannot legislate integrity, just like we have failed in our attempts to legislate morality nationally and individually.

The solution is a very simple one. Each institution has to make a commitment, and should make a commitment, to total integrity in

their intercollegiate programs, and that has to start with the governing boards, and they have to place that authority in the hands of the chief executive officer and then strongly support that individual if they have to take firm action against a popular coach or a popular program.

We can do a lot of talking, but until that happens we will always have problems in intercollegiate athletics, just like we have problems in society in general.

Thank you. I will be pleased to answer any questions that you have.

[The prepared statement of Richard D. Schultz follows:]

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For Release
9:30 A.M. 5/18/89

STATEMENT OF
RICHARD D. SCHULTZ, EXECUTIVE DIRECTOR
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
before the
SUBCOMMITTEE ON POSTSECONDARY EDUCATION
COMMITTEE ON EDUCATION AND LABOR
UNITED STATES HOUSE OF REPRESENTATIVES
May 18, 1989

Chairman Williams, members of the Subcommittee. My name is Richard D. Schultz; I am executive director of the National Collegiate Athletic Association. On behalf of the NCAA, I express my appreciation to the Subcommittee for the opportunity to appear here this morning to discuss the current state of intercollegiate athletics.

I have been the NCAA's Executive Director for about 20 months. Before my appointment, for about 28 years, I was engaged in the coaching and administration of intercollegiate athletics at three institutions, first the University of Iowa, then Cornell University, and finally the University of Virginia. I also have held a variety of committee positions within the NCAA, including chair of the Division I Men's Basketball Committee.

Since accepting my present position, I have intentionally pursued an intensive program of travel as part of my duties, to meet and speak with educators and educational organizations, college presidents and governing boards, athletics conference commissioners, athletics directors, coaches and student-athletes -- as well as with representatives of other bodies with which the NCAA shares common interests, such as the National Association of Intercollegiate Athletics, the National Junior College Athletic Association, the National Federation of State High School Associations, the United States Olympic Committee, and indeed the professional leagues. Based on these experiences, I have a number of perspectives on the current state of intercollegiate athletics which I hope will be of value to the Subcommittee.

In the past several months, we have witnessed an ongoing series of articles and editorials in the nation's press, decrying the allegedly "disgraceful" state of intercollegiate athletics on our college campuses. These stories project an image of exploitation of functionally illiterate young athletes by the nation's colleges, of criminal activity and drug abuse by these

athletes in deplorable degree, and in general of an intercollegiate athletics system dangerously out of proportion to the educational mission of which it is supposed to be only a modest part.

The United States Senate itself has joined in the indictment. On February 28, 1989, the Senate passed and sent to the House a resolution proclaiming "National Student-Athlete Day". The resolution, although acknowledging the benefits of intercollegiate athletics competition, sweepingly recites that "thousands of America's youth sacrifice academic achievement to the dream of a professional career" and the "practice of keeping athletes eligible for participation on a team . . . must be abandoned for a policy of ensuring a meaningful education and degree." A parallel House Joint Resolution now pends in this body.

I applaud this Subcommittee's decision to examine such matters more deliberately. I take flat issue with those who would characterize the conduct of intercollegiate athletics today as disgraceful, out of control, or worse. In my judgment, intercollegiate athletics in 1989 is under greater "hands on" control by the chief executives of our member institutions and provides greater benefits for more young people -- men and women, of whatever ethnic origin or economic circumstance, professional prospect or not -- than at any time in this century.

At the same time, I am perfectly willing to agree that as is the case in any form of ongoing human endeavor, there are problems with which we must deal in intercollegiate athletics. As I will report to you today, the NCAA has been and is dealing directly with those problems, and I thus take even more radical issue with those who say, as did one national magazine, that the NCAA is "ignoring the real issues affecting college sports."

In short, I welcome the opportunity to discuss the problems currently facing those of us involved in the administration of intercollegiate athletics, and how we are dealing with them, but I also hope the Subcommittee will recognize that these problems, while often serious, should fairly be looked at in the context of a national program that directly contributes to the personal growth of a quarter million young people each year -- not to speak of the added thousands of young people who participate in programs within the purview of the NAIA and NJCAA. Specifically, last year there were 268,766 undergraduates (178,941 men and 89,825 women) participating in athletics at NCAA member institutions. Of these, less than 10 percent were male football and basketball players in the NCAA's most competitive division, Division I; almost exclusively, the

significant problems of intercollegiate athletics are confined to the experiences of a small minority of student-athletes participating in these two Division I sports. I simply hope that as we focus on these problems, we will not lose sight of the fact that we are talking a small -- but of course enormously visible -- portion of the universe of intercollegiate athletics.

I had best begin by describing my own organization -- because I recognize that few individuals outside the education community really understand its structure. Founded in 1906, the NCAA is an unincorporated nonprofit association headquartered in Mission, Kansas -- in suburban Kansas City. Active membership in the Association is essentially open to public and private four-year colleges and universities that agree to administer their athletics programs in accordance with the Association's organic documents; at this moment, 799 institutions are active members. Our membership also includes some 108 athletics conferences (e.g. the Atlantic Coast Conference, the Big Ten, the Ivy Group) and 109 other organizations directly interested in intercollegiate athletics.

Active members of the Association comply with membership criteria for classification in one of three basic divisions (I, II, or III) for internal NCAA legislative purposes and for championship competition. In the sport of football only, Division I institutions are designated as belonging either to Division I-A or Division I-AA; Division I members not offering football (or not offering it in Division I) are categorized as Division I-AAA.

In general, classification in a particular Division depends on the number of sports for men and women sponsored by the institution and on certain scheduling requirements in football and basketball. In addition, to be a member of Division I-A for football, certain home football attendance levels must be met.

Each NCAA division, through vote of its membership, adopts most of the standards for competition in various sports in that division. In general, the major differences among the three divisions are in the scope and budget of the intercollegiate athletics programs. In 1985, median and the range of budgets of institutions in the three Divisions varied significantly, based on total expenses. The following table illustrates those differences:

Institutions	High	Average	Low
Divisions I-A and I-AA	$15,403,000	$ 4,609,000	$ 528,000
Division I without football	1,858,000	878,000	80,000
Division II, football	1,873,000	719,000	185,000
Division II without football	1,121,000	418,000	60,000
*Division III, football	3,252,000	339,000	40,000
Division III without football	1,619,000	182,000	18,000

* Includes Divisions I and II members with football classified in Division III.

Another major difference between Division I and II on the one hand and Division III on the other is that Division III does not permit the awarding of athletically related financial aid; in Division I and II, such awards are permitted within specified limits.

It is important that you understand that to a major extent, the NCAA is today a federation of post-secondary institutions with significantly different philosophies as to the role of intercollegiate athletics in the education process, and indeed as to the funds that will be committed to such programs. The existence of the various divisions came about as a means of accommodating, within one organization, these different philosophies.

All NCAA legislation is adopted by the membership itself. Certain basic elements of NCAA legislation require a vote of all NCAA members, whereas many so-called "federated" provisions may be adopted or amended by a single division for its own governance. Thus, for example, the NCAA's ethical principles relating to conduct of intercollegiate athletics are adopted by vote of all the members, whereas the playing and practice seasons for individual sports are established by each division.

As long as I have mentioned voting, let me pause here to deal with a common misconception concerning NCAA affairs. It is often assumed that NCAA rules are established by some group of college coaches or athletic directors, or indeed are created by the paid NCAA staff in Mission, Kansas. That is simply not correct. A basic principle of NCAA governance, to which all our members have subscribed, is that each institution's chief executive officer is responsible for administration of all aspects of the athletics program. Consistent with this principle, institutional delegates to NCAA Conventions -- where all legislation is adopted -- may be named only by the chief executive officers of those institutions. Many college

presidents, in fact, themselves attend NCAA Conventions. More than 100 have attended each Convention since the mid-1970s (199 at the special Convention on integrity issues in 1985).

Each chief executive is provided with detailed information concerning proposed legislation well in advance of each convention, and he or she is thus always in a position to instruct institutional delegates if desired. If the president does not himself or herself attend, the institution is represented by another administrator or a faculty representative formally designated by the president.

The NCAA membership each year elects individuals to serve on our principal governing body -- the NCAA Council -- and every two years elects our President and Secretary-Treasurer (our current President is Albert M. Witte, a Professor of Law at the University of Arkansas, and our Secretary-Treasurer is Judith M. Sweet, Director of Athletics at the University of California at San Diego). A vice-president of each division is also is elected.

The 46-member NCAA Council consists of the president and secretary-treasurer, 22 Division I representatives (including its vice-president) and 11 each from Divisions II and III (including their vice-presidents). Six members of the Council must be chief executives of institutions, and 12 must be women. The Council establishes NCAA policy between Conventions, interprets NCAA regulations, appoints NCAA committee members and adopts administrative regulations for implementation of NCAA legislation.

The 14-member Executive Committee, which must include at least three women, consists of the five NCAA officers plus nine members appointed by the Council. In all, there are eight representatives on the Committee from Division I and two each from Divisions II and III. The Executive Committee is responsible for the financial affairs of the Association, including establishment of its annual budget, and for the conduct of NCAA championship events.

There is another body within the NCAA structure that deserves particular mention -- the Presidents Commission. Created in 1984 by vote of the NCAA membership, the Commission consists of 44 presidents and chancellors of NCAA member institutions -- 22 from Division I and 11 each from Divisions II and III. Members of the Commission are elected by presidents and chancellors of the NCAA member institutions. The Commission enjoys the following very significant powers within the NCAA structure:

1. To review any NCAA matter, and place before the Council or the Convention any matter or concern;

2. To commission studies, urge courses of action and propose NCAA legislation;

3. To call a special Convention of the membership;

4. To establish the sequence of votes on legislative matters, and to require roll-call votes; and

5. To approve appointment of the NCAA executive director.

Since its organization, the Commission has exercised these powers regularly and has brought about some very significant changes in our focus.

The principle of institutional autonomy has been a very strong force in the evolution of the rules by which our Association operates. It is very important that this is kept in mind when discussing any sort of legislation regarding collegiate athletics. Throughout its history, the NCAA has tried to walk a thin line between creating a level playing field for all institutions and not infringing on any individual institution's right to set its own standards for admissions, academic performance, and other matters not related to athletics competition. All the rules adopted by the NCAA, or any other body, must be considered in light of that principle.

Let me also describe for a moment what the NCAA does -- because, again, there are many misconceptions. First, and perhaps foremost, we establish through membership vote the rules under which intercollegiate athletics will be conducted by our members. These principally involve rules relating to institutional control of athletics, recruiting, permissible financial aid, eligibility of student-athletes, academic standards, championships, playing and practice seasons, rule-enforcement activities, and administrative organization.

The NCAA does not itself sponsor any athletics competition except its postseason championship competition. In the academic year now ending, we will have sponsored 77 national championships -- 23, 20 and 24 respectively in Divisions I, II and III, and 10 encompassing all divisions. Of these, 41 are for

men, 34 are for women and two are for mixed teams of men and women. The NCAA also certifies, but does not sponsor, some 20 post-season football bowl games -- there will be 18 of these in 1989-90.

As I believe you are aware, although there are Divisions I-AA, II and III NCAA football championships, there is no Division I-A NCAA championship. To date, our Division I members have overwhelmingly rejected the concept of such a championship, apparently because of the perceived damage it would do to the traditional bowl games, because of impact such a championship could have on study and examination schedules, or in general because they believe the disadvantages outweigh the perceived advantages.

Although the NCAA engages in a wide variety of activities other than creation of rules and sponsorship of championships, there are five general areas of activity that I believe are particularly germane to the inquiry this morning:

* Compliance Services. In 1985, the NCAA established a new compliance services department (apart from the enforcement department), the primary purpose of which is to provide direct assistance to chief executive officers in maintaining institutional control and complying with NCAA rules. The department is very much in its developing stages, but, perhaps as much as any other, illustrates the NCAA's abiding commitment to integrity and meaningful standards in the conduct of intercollegiate athletics programs.

As a result of actions taken during the 1985 special Convention, chief executive officers now have at their disposal specific tools by which to evaluate the well-being of athletics affairs: a required independent financial audit of revenues and expenditures in athletics (including the financial activities of "booster" organizations); a comprehensive self-study of the athletics program, required at least once every five years; and, in Division I, an annual report of the academic performance of student-athletes in comparison with students generally.

I will discuss each of these instruments in more detail later in this statement, but suffice it to say that the compliance services staff is charged with the administration of these programs and is available to assist an institution in its use or evaluation of the information generated by the reports.

At an institution's request, compliance services staff members will visit an institution to assist in reviewing all or any specific aspect of its athletics program. Compliance reviews

involve an objective assessment of an institution's athletics philosophy; the academic performance of student-athletes and available academic support services; and an evaluation of policies and procedures in the areas of recruiting, financial aid, eligibility and rules education. The service, which in major part is aimed at preventing violations of NCAA rules, is free of charge and has been performed at about 30 institutions to date, with the greatest number in Division I. Current budgeted amount for these efforts is about $720,000.

* Enforcement. The NCAA maintains a vigorous enforcement program under policies and procedures developed by the NCAA Committee on Infractions and approved by the Council and NCAA membership. The fundamental philosophy of the enforcement program is that it represents a cooperative venture between the administration of the institution under investigation and the NCAA staff, and I am gratified to say that more frequently than ever before, our enforcement staff reports that institutions are embracing this philosophy and truly assisting in getting to the bottom of alleged violations.

Authority for determination of violations and assessment of appropriate penalties in major cases rests with the six-member Committee on Infractions, a group of faculty representatives and athletics directors from member institutions, the majority of which historically has consisted of law professors. The NCAA staff is not empowered to assess penalties on member institutions, except in regard to minor or "secondary" violations, and even in those cases, a designated member of the Committee must approve the actions. This new procedure, which was adopted in 1985 by the membership, has resulted in the expedited processing of minor violations and increased self-disclosure of these secondary violations by member institutions. This latter tendency in particular would appear to indicate a sincere desire to ensure institutional control of athletics programs.

The budgeted amount for enforcement in 1988-89 was about $1.75 million.

* Drug-Education and Drug Testing. Since 1986, we have expended $1.3 million in various programs to provide drug education for student-athletes. Our efforts have included publication of written and videotaped educational materials, grants to member conferences, speakers-bureau grants to member institutions, production of public service announcements featuring prominent student-athletes, research efforts to determine the extent of drug use by student-athletes, and encouragement to member institutions to sponsor drug education efforts.

Beginning in the 1986-87 academic year, the NCAA began a program of random drug-testing in connection with its championship events and with postseason football bowl games. In the first two years of testing, about one percent of athletes tested were declared ineligible because of positive results, principally for steroids. In 1987, we also began to offer drug-testing services to member institutions in connection with the football practice season, and of course a large number of our members -- including almost 60 percent of our Division I members -- operate their own drug-testing programs.

Annual cost of the NCAA drug-testing program is about $1.5 million.

The NCAA, incidentally, has been a regular supporter of Federal legislative proposals to increase the penalties for possession or sale of steroids; it also is working closely with the staff of the House Energy and Commerce Committee on proposed legislation (H.R. 33) setting standards for drug-testing laboratories.

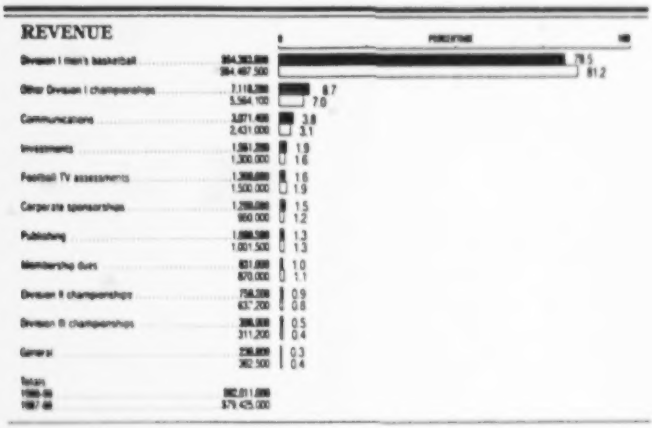
* Research. In the past few years, we have been devoting greater resources to research efforts related to intercollegiate athletics. Our 1988-89 budget for such work is approximately $2.3 million. Perhaps most significantly for present purposes, we have begun a 10-year study of the academic performance of student-athletes that, when completed, will represent the largest database ever assembled on the subject. The research will include information on high school preparation, college performance, levels of special assistance, athletic performance, and other pertinent topics.

We also have been conducting research into areas such as drug use, minority representation in departments of athletics, women in athletics and other areas of legitimate concern within the sphere of intercollegiate athletics. We have increased our research efforts in an attempt to provide accurate data in connection with several areas of debate within collegiate athletics that previously have been discussed only with the use of anecdotal evidence. Our purpose is to develop empirical data that will add to our members' understanding of the issues under discussion.

* Scholarships. The NCAA currently funds four separate scholarship programs for male and female student-athletes. These include 75 scholarships aggregating approximately $500,000 to student-athletes who have exhausted their institutional financial aid eligibility but wish to complete their undergraduate studies;

100 post-graduate scholarships of $4000 each awarded to student-athletes who have excelled both in academics and athletics; 20 post-graduate scholarships in sports administration for ethnic minorities and women (10 each) at an aggregate cost of $120,000; and two $7500 post-graduate Walter Byers Scholarships (named in honor of my predecessor as executive director) to one male and one female student-athlete with outstanding academic achievement (3.500 GPA or better). The first two recipients of the Walter Byers Scholarships, a man and a woman, will attend Northwestern University Law School and the University of Texas Health Science Center at Houston Medical School next fall.

NCAA budgeted revenues for the current fiscal year are about $82 million; some 86 percent of that amount will be paid directly or indirectly to member institutions and conferences or will be devoted to scholarships or other educational benefits for student-athletes. The following charts graphically demonstrate the sources of our revenue and our expenditures for various programs. As you will note, almost 80 percent of our revenue derives from the Division I Men's Basketball Championship.



EXPENSE

Division I men's basketball distrib
Champs transportation guarantees
Champs game & administrative
Grants to conferences
Champs per diem allowances
Other champs distributions
Communications department
Div II & III block grants
General
Publishing department
Drug testing & education
Legal services
Enforcement department
Administration department
Committees
Championships department
National Forum
Grant to NCAA Foundation
Royalties to members
Insurance – general & liability
Legislative services department
Rent
Catastrophic insurance
Clinics and competition
Business department
Compliance services department
Postgraduate scholarships
Contingency
Development grants
Funded Operating Reserve

Totals
1988-89
1987-88

I hope the foregoing will give you a better idea of what we are and what we do. I would now like to focus on some of the major problems of intercollegiate athletics, real or perceived, and what we and our member institutions are doing about them.

In general terms, I think you should first be aware of the major introspective effort that has been underway in the intercollegiate athletics community since 1985 and specifically during the past two years, as a result of two interrelated initiatives put in place by the Presidents Commission. At a Special Convention in June 1987, the membership approved a Commission-sponsored resolution calling for an 18-month National Forum on the proper role of intercollegiate athletics in higher education, and commissioning a series of studies to investigate the effect on student-athletes of participation in intercollegiate athletics.

The National Forum, conducted at four national meetings between 1987 and this year, consisted of several dozen presentations and responding commentaries by educators, athletic department administrators, coaches, media representatives, researchers and others interested in intercollegiate athletics. Subjects dealt with principally included economics issues, the NCAA membership structure and governance procedures, financial aid, and the impact of intercollegiate athletics on student-athletes -- all within the overall theme of the proper role of intercollegiate athletics within higher education.

The studies of intercollegiate athletics were conducted by the American Institutes for Research, at a cost to the NCAA of almost $2 million. AIR is an independent behavioral-science research organization that has conducted projects for a number of Federal government agencies, including the Department of Education. Two out of the five substantive AIR studies have been released: the summary study (Report No. 1) resulting from the survey of over 4000 student-athletes and other students heavily involved in extracurricular activities at 42 NCAA Division I institutions, and study on experiences of black intercollegiate athletes at those NCAA Division I institutions (Report No. 3). AIR Report No. 1 was the focus of the most recent Forum, in January 1989. Still to come later this year are studies on the experience of female intercollegiate athletes, an analysis of student-athletes' academic transcripts and a compilation of their answers to "open-ended" questions in the survey.

Let me turn now to a discussion of some specific problem areas. Unless the context otherwise requires, you can assume that I will be discussing Division I programs:

1. Recruiting. Critics of the intercollegiate athletics system often are offended by the extent to which some institutions recruit highly talented athletes at the high school level. Aside from the pressure generated by multiple overtures to the student, abuses of the system have often taken the form of improper financial inducements from coaches or alumni -- inducements such as cars, cash payments, personal airline travel and the like.

As you may know, NCAA rules adopted by the membership provide that financial aid to student-athletes may not exceed the cost of attendance that is normally incurred by students at the institutions in a comparable program. Essentially, except for certain need-based aid (e.g. Pell Grants and student-loan programs) and employment earnings during vacations, permissible aid is limited to tuition and fees, room and board and required course-related books. It is undeniable that over the years, numerous instances of violations of these limits, in a degree disturbing to us all, have taken place in an effort to gain a competitive advantage on the playing field. By the same token, however, improper recruiting practices and inducements have been a principal focus of the NCAA's rules enforcement program.

The NCAA maintains comprehensive rules limiting the time and location and permissible level of recruiting efforts, and specifying those who may engage in recruiting efforts. These regulations occupy 31 pages of the NCAA Manual, and are designed to keep recruiting efforts within reasonable, defined grounds. They prohibit, incidentally, anyone but full-time coaching staff members from engaging in off-campus recruiting -- alumni and other representatives of an institution's athletic interests, over which the NCAA has no direct control, have long been a principal source of recruiting violations.

I should note in passing here that an interesting finding of the AIR study is that although student-athletes (and particularly football and basketball players) experienced more intense recruiting pressure than other students heavily involved in extracurricular activities, more than 75 percent of them reported that recruitment helped them make the right college choice. And only a very small percentage of surveyed football and basketball players reported that recruitment caused them "very serious" problems.

The recruiting process remains, however, fertile ground for NCAA rule violation. Over 75 percent of the cases in which major infractions were found against Division I members in the past 10 years include at least one finding relating to improper inducements.

During this period, the NCAA membership has vigorously responded to this situation by committing additional funds and personnel to our enforcement program and by increasing the potential sanctions for rule-violations. In 1985, the Presidents Commission -- in one of its most important actions designed to enhance the integrity of intercollegiate athletics programs -- successfully sponsored legislation establishing distinctions between major and secondary violations, establishing specific minimum penalties for major violations, establishing severe penalties for "repeat violator" institutions, and authorizing disciplinary or corrective actions for institutional staff members found in violation, but who leave the institution under inquiry for employment at another NCAA member institution. I believe that these new penalties have had and will have salutary impact on the recruiting scene and, more importantly, demonstrate the clear commitment of the chief executive officers of our members to establish meaningful institutional control and monitoring systems.

2. Student-athlete admissions criteria. For as long as I can remember, concern has been expressed about the limited academic qualifications of some student-athletes, particularly in football and men's basketball, who were recruited, admitted and awarded athletically-related financial aid by NCAA member institutions. The NCAA's initial response to this concern for a number of years was to require that a student present a secondary school gpa of 2.000 or better, in order to be granted athletically-related financial aid.

Over a period of years, it became obvious that because of significant differences in the quality of education offered in the nation's school systems, reliance solely upon a 2.000 gpa could not provide sufficient assurance of the capacity of a student-athlete to successfully pursue a college career. After prolonged study and serious debate within our organization, we adopted, effective in 1986, a new freshman-eligibility rule for practice, competition and financial aid, referred to as "Bylaw 5-1-(j)" or "Proposition 48". It is now Bylaw 14.3.

In essence, that bylaw says that an entering student-athlete may not compete, practice or receive financial aid during the first year unless he or she has, first, achieved at least a 2.000 gpa in a defined high school core curriculum including English, mathematics, social science and physical science, and second, achieved a minimum 700 combined SAT verbal and math score or a 15 composite ACT score. For sake of reference, a combined 700 SAT score, consisting of a verbal score of 350 and a math score of 350, would place one on approximately the 22nd percentile on the verbal scale and the 15th percentile on the math scale of college-bound students taking the examination in 1987; the median combined SAT score for recruited football and

men's basketball entering freshmen in 1986, as reported to us by Division I institutions, was 850.

Bylaw 14.3 currently contains a limited exception for the "partial qualifier", that is, a student-athlete who achieves at least a 2.000 gpa, but who does not achieve either the minimum gpa in the 11 core courses or the minimum standardized test score as stipulated above. Such an individual is permitted to receive athletically-related financial aid in his first college year, but may not engage in intercollegiate athletic competition or in practice in that year. In 1986, NCAA Division I institutions admitted 562 partial qualifiers, or about five percent of all entering student-athletes receiving financial aid; about 65 percent of the partial qualifiers were black. To put this data in perspective: about 85 percent of recruited and admitted black student-athletes and 98 percent of such white student-athletes qualified under both the core curriculum and SAT/ACT standards.

On this data, there can be little question that "Proposition 48" tightened freshman eligibility requirements for recruited student-athletes in Division I -- a step most educators regard as salutary. Some argue the standard should be more stringent, some argue there should be no freshman eligibility at all (this view was first expressed by the President of Harvard in 1889 and perhaps most recently expressed by Father Healy of Georgetown last Tuesday in the Washington Post), and some argue that the use of the SAT/ACT standard is culturally biased and therefore unfair to minority student-athletes. I do not believe we will really begin to understand the impact of those requirements until 1991 or 1992, when we are able to measure graduation rates for entering classes to which the rule has applied.

Many of you have read in the newspapers in recent months about Proposition 42, passed at the NCAA Convention last January and scheduled to take effect in August 1990: Proposition 42 would have the effect of eliminating partial qualifiers, thereby preventing the awarding of athletically-related financial aid to a student-athlete who achieves an overall 2.000 secondary school gpa but does not meet the SAT/ACT standard and the core-curriculum gpa requirement. Strong feelings are held by Division I members on both sides of this issue, and it will be revisited next January, without doubt. Some say elimination of the partial qualifier denies the opportunity -- principally to disadvantaged minority students -- to prove they can perform successfully in college notwithstanding their low SAT/ACT test scores or poor academic preparation; others view the partial qualifier as a mechanism by which, at the price of loss of freshman eligibility, institutions can recruit and admit academically unqualified student-athletes.

Last month, the NCAA Council appointed a subcommittee to study various proposals for modification of Proposition 42 and to report back to the Council in August with a consensus recommendation for possible change. There is some currency for the view that partial qualifiers should be eligible for need-based institutional aid (rather than athletically related aid) on the same standards as other students, but it remains to be seen what modifications (if any) will be approved by the NCAA Convention in January.

3. Curriculum and satisfactory progress. An often repeated indictment of intercollegiate athletics programs is that many student-athletes are carried along in "gut" or "crip" courses (i.e., undemanding or essentially nonacademic courses) in order to maintain their eligibility for athletics competitions, and then are simply are abandoned once their eligibility is completed.

I would be foolish to report to you that this sort of thing has not happened and does not happen in NCAA institutions, but I will report my belief that it happens far less often today than a decade ago, and that we and our members are taking actions on a variety of fronts to make certain it happens even less in the future.

First, lot's look at the facts as we understand them. We first know -- and I will return to this in a few minutes -- that Division I student-athletes graduate after five years at approximately the same rate as, if not a better rate than, all students in their institutions. Second, we have learned an enormous amount from the recent AIR study. Let me quote somewhat extensively from the Executive Summary from the AIR Report No. 1, which compared student-athletes at 42 Division I institutions with students at the same institutions extensively involved with activities other than intercollegiate athletics. On the subject of academic performance, the AIR survey disclosed:

> There is a tendency for student-athletes, especially football and basketball players, to be in classes with other student-athletes, but among courses taken by student-athletes, about 55 percent are also taken by extracurricular students . . . Student-athletes are more likely to report current majors in business and business management, professional occupations (e.g., architecture, home economics), and physical education (only 5 percent plan majors in physical education), and less likely than extracurricular students to reports majors in the arts and humanities, education, and engineering. Football and basketball players are least likely to major in biological, physical, or computer sciences.

* * * * *

Student-athletes, on average, have lower college grade-point averages (GPAs) than do extracurricular students. Among student-athletes, football and basketball players have, on average, the lowest GPAs [football/basketball was 2.46; other student-athletes 2.61; and extracurricular students 2.79].

* * * * *

At the same time, comparable numbers of student-athletes and extracurricular students say they have ever repeated courses, received incompletes, and been on academic probation. . . . Although these three measures of academic performance show no reliable differences between student-athletes and comparison students, there are consistent links between them and the more or less successfully competitive football and basketball programs. Specifically, football and basketball players in more successfully competitive programs are more likely than those in less successfully competitive programs to have found many courses too difficult, received incompletes, and been on academic probation. For example, 34 percent of football and basketball players in more successfully-competitive programs have been on academic probation, as compared to 26 percent of football and basketball players in less successfully-competitive programs.

* * * * *

Student-athletes and extracurricular students are generally satisfied with their educational experiences. About 90 percent of each group are satisfied, about 95 percent are satisfied with their college major, and 65 percent are satisfied with their performance in courses. There are not reliable differences in satisfaction between student-athletes and extracurricular students.

The following is a table of the reported majors of sophomores, junior and seniors surveyed by AIR:

	Percent		
	Football/ Basketball	Other Sports	Extra-curricular
Business	27.5	30.2	14.4
Social Science	17.1	12.7	18.6
Professional Occupations	12.6	7.5	3.0
Communications	9.8	8.0	12.0
Engineering	6.7	9.5	12.5
Education	6.4	4.2	10.8
Physical Education	5.5	10.0	.2
Arts and Humanities	5.3	3.2	13.3
Computer/Information Sciences	1.9	4.6	4.8
Biological Sciences	1.6	3.8	4.7
Physical Sciences	0.5	2.2	3.3

It is perhaps noteworthy that, contrary to popular assumption, Division I football and basketball players majoring in business, social science and professional occupations outnumber majors in physical education 10 to one.

The AIR study also provides substantial information on the time commitment of student-athletes to athletics. The Executive Summary states as follows:

> The time demands on both student-athletes and extracurricular students are extensive during the period when sports and extracurricular activities are in season. Student-athletes spend more time in their sports, however, than extracurricular students do in their activities. Football and basketball players spend approximately 30 hours per week in their sports when they are in season -- more time than they spend preparing for and attending class combined. They also report missing about two classes per week. While extracurricular students spend less time in their activities than student-athletes, they too spend more time in their activities than they do either in preparing for classes or attending classes [football and basketball players spent 25.3 hours per week in class or in preparation for class, while extracurricular students spent 27.6]. . . .
>
> During the off-season, the time demands on student-athletes and comparison students are reduced. Football and basketball players and other student-athletes continue to spend more time in their sports than they do either in preparing for or

attending class. Extracurricular students spend less time in their activities than student-athletes do during the off-season. Both student-athletes and extracurricular students report they miss about one class per week when out of season.

Although I recognize it is always dangerous to draw broad conclusions from survey data (and, indeed I have only quoted selectively from the report), it seems to me that the general picture which emerges from the AIR survey is that although Division I student-athletes -- and particularly football and basketball players -- make a major commitment to athletics, a very significant majority of them are enrolled in serious courses of study, they devote almost as much time to their studies in-season as other extracurricular participants, they are performing reasonable well on the average, and they are satisfied with their educational experiences.

In order to be eligible for intercollegiate athletics under NCAA legislation, a student-athlete must be in good academic standing with his or her institution, and must be maintaining satisfactory academic progress toward a baccalaureate or equivalent degree. "Satisfactory progress" is to be defined by the institution's academic authorities who determine such matters with regard to all students, unless its conference has established more stringent requirements.

In NCAA Division I since 1985, satisfactory progress generally necessitates satisfactory completion of at least 24 semester hours during the preceding two academic term; student-athletes are also required to declare a major by the beginning of the third year of enrollment and thereafter make satisfactory progress toward a degree in that major. All these requirements are designed to assure that student-athletes are in fact making satisfactory progress, while at the same time allowing reasonable autonomy to the individual institution to define the specifics of that progress.

Graduation rates. One of the charges most often levelled at intercollegiate athletics is that student-athletes, once having completed their athletics eligibility, abandon their studies and leave the college experience without completing their degrees. The fact is, however, that on the average, student-athlete graduation rates are equal or superior to those of college students as a whole.

Since 1986, the NCAA has annually surveyed its Division I institutions to determine graduation rate data for student-athletes in various sports in different types of Division I institutions. The most recent survey, completed only a month ago, reports data for individuals entering college in the 1982-83

academic year. For recruited student-athletes entering Division I institutions in that year, the median reported percentage having graduated five years later was 48 percent; the comparable reported median percentage for all students was slightly less, or 47.8 percent. A year ago, the report on the entering class of 1981-82 showed medians respectively for student-athletes of 50 percent and for all students of 47.3 percent.

For student-athletes only, the NCAA also collects adjusted graduation rate data, which adjusts the calculation by adding incoming transfer students and subtracting those who left in good standing and those who are continuing their studies. By sport, the following data for the entering class of 1982-83 was reported, by graduation rate and adjusted graduation rate:

ALL MALE OR MIXED TEAMS	Grad.	Adj.
Baseball	50.0	79.3
Basketball	33.3	66.7
Football	41.4	64.0
Golf	50.0	100.0
Gymnastics	66.7	100.0
Soccer	60.0	100.0
Swimming	66.7	100.0
Tennis	66.7	100.0
Track/Cross Country	50.0	80.0
Wrestling	50.0	77.8
All Others (7 Sports)	76.4	100.0

ALL FEMALE TEAMS	Grad.	Adj.
Basketball	50.0	100.0
Field Hockey	91.7	100.0
Golf	66.7	100.0
Gymnastics	66.7	100.0
Softball	66.7	100.0
Swimming	72.1	100.0
Tennis	77.5	100.0
Track/Cross Country	50.0	100.0
Volleyball	60.0	100.0
All Others (4 Sports)	100.0	100.0

The NCAA attempted to collect adjusted graduation-rate data for all students in the first year of graduation-rate data collection, but the member institutions felt that the computation was far too cumbersome to be completed with any accuracy for such a large group of people. Hence, only the raw graduation-rate comparison between student-athletes and all students is currently available.

It is obvious that there is substantial room for improvement in graduation rates, particularly for Division I football and male basketball players. Our members are only too aware of this, but I submit that in the last analysis, it is up to the student to decide that he or she will complete degree requirements. Some coaches, such as John Thompson here in the District of Columbia, have achieved great success in motivating athletes in his charge to perform academically and to complete their degree requirements; other coaches must profit by this type of example. The motivation task is often very difficult, however, in the case of football players and male basketball players who are selected in the professional drafts; their agenda often simply radically changes once that selection occurs.

As I noted a few minutes ago, it is important to recognize that the foregoing data do not, by definition, reflect the potential impact of tightened freshman-eligibility standards under Bylaw 14-3. We believe that application of the rule, which first took effect for the 1986-87 entering class, cannot help but improve graduation rates for recruited student-athletes -- how significantly, however, we will not know for a few years. The potential future impact of Bylaw 14-3 is illustrative of the delayed effect of various items of NCAA legislation. Current data regarding the academic performance of student-athletes may indeed not reflect the actual situation in college athletics in 1989, and one must always review the evolving application of NCAA rules before reaching conclusions as to additional needs for action.

Over the past few years, proposals have been introduced by which federal financial assistance would be withheld from institutions not reporting a student-athlete graduation rate of 50 percent, or some such percentage, or cutting back on the number of permissible grants-in-aid if certain targets are not met. Aside from the serious definitional problems posed by such proposals, it seems to me that the data being reported to us by our members suggest absolutely no basis for singling out student-athlete graduation rates for adverse action -- when those rates are consistently on a par with or superior to those for the student body as a whole.

Senator Bradley and Congressmen Towns and McMillen have introduced a different type of proposal, the Student-Athlete Right-to-Know Act (S.580; H.R.1454), which would require colleges

and universities annually to report graduation rates to prospective student-athletes and to the U.S. Secretary of Education -- such rates to be broken down by sport, race and sex. Current NCAA legislation, although requiring Division I institutions to report graduation-rate data for compilation purposes, does not authorize public disclosure of that information on an individual-institution basis and does not break down the data by race.

Last January, the NCAA Presidents Commission adopted a resolution committing it to develop and propose legislation to require that graduation-rate data be made available in the student-athlete recruiting process. Last month, each of the Commission's divisional subcommittees affirmed that resolution and the Commission instructed the NCAA staff to prepare draft legislation for review at the Commission's meeting next October. I am frankly optimistic that at the NCAA Convention next January, the membership will adopt new legislation that will, I hope, make unnecessary the further consideration of federal legislation on the subject of graduation rates.

Institutional conformity with NCAA rules. Sports journalists are fond of pointing to the number of institutions currently on probation as a result of our enforcement program as evidence that the intercollegiate athletics system is out of control.

I think just the contrary is true. Concerned about allegations and evidence of recruiting violations and improper benefits for enrolled student-athletes, our membership over the past two decades has steadily committed more and more budgeted funds (currently $1.75 million) to the NCAA's enforcement program. The penalties that have been assessed over the past several months are the inevitable result of this stepped-up enforcement program, and of course they do not relate to violations in 1988 or 1989, but to years well before that. For a variety of reasons, I believe -- and I reported this to the NCAA Convention last January -- that we have never been in a better position to control major rules violations.

The reason for my belief, however, is not that we are pursuing and will continue to pursue a vigorous enforcement program, but that more and more responsibility, and tools, are being placed into the hands of institutional chief executives who desire to establish effective control of their own athletics programs. I have already alluded to the fact that college presidents participate significantly in our affairs, both individually and through the Presidents Commission, but I have not detailed how these efforts have enhanced the opportunities for true institutional control of intercollegiate athletics.

In this respect, 1985 was a watershed year for intercollegiate athletics, for it was in that year that the membership overwhelmingly adopted certain key legislative proposals made by the Presidents Commission:

a. Institutional self-study. At least once every five years, each NCAA institution is required to conduct a comprehensive self-study and evaluation of its intercollegiate athletics program, and to make the study available to the NCAA on request. Subjects covered must include institutional purpose and athletics philosophy, the chief executive's authority in personnel and financial affairs, athletics organization and administration, finances, personnel, sports programs, recruiting policies, services for student-athletes and student-athlete profiles.

b. Reporting of data. Each Division I institution must submit academic information to the NCAA annually, including admissions standards, any authority for admission of students under a "special admit" standard, and the relative percentages of students and recruited student-athletes admitted under this special authority.

c. Athletics budgeting. The athletics budget must be controlled by the institution and be subject to its normal budgeting procedures, and be approved by the chief executive or his designee.

d. Audit. An annual audit of all expenditures of the athletics program must be conducted by an outside auditor selected by the chief executive or his designee.

In sum, these provisions were designed to give institutional chief executives greater knowledge of and responsibility for the intercollegiate athletics programs. They are coupled with the basic requirement that the chief executive annually certify compliance with the NCAA legislation.

Earlier this year, I proposed that legislation be considered which would build on the institutional self-study requirement by utilizing a panel of individuals outside the institution to analyze the institution's self-study and provide some form of certification. I see the possibility of the procedure addressing such matters as graduation rates, special admissions, progress toward graduation and the conduct of coaches

and athletes. The institution would be rated against its own standards, and the review would undoubtedly provide the chief executive with a blueprint for remedial action, when indicated. Both the Presidents Commission and NCAA Council have agreed to further development of the proposal, with the view that implementing legislation would be considered at the NCAA Convention next January.

The institutional chief executive is, after all, the key to resolution of many, if not most, problems in intercollegiate athletics. In general, those athletics programs in which the chief executive takes an informed, active interest are those which have experienced the fewest difficulties under NCAA legislation. If, moreover, intercollegiate athletics truly has assumed a role deemed out of proper proportion to the educational mission of our universities, it is up to the chief executives collectively to decide what its proper role should be.

In the past three Conventions, proposals by the Presidents Commission to limit the duration of spring football, to reduce grants-in-aid, to limit the number of football coaches, to limit recruiting and to establish need-based aid restrictions in certain sports, have met with mixed success. Some have succeeded, some have failed, and some have been withdrawn in favor of further study. To the extent some of these initiatives have failed, it is apparent that chief executive officers -- particularly in Division I -- have not reached a consensus on what should be done. I am hopeful that our recently-completed National Forum on the proper role of intercollegiate athletics in higher education, together with the AIR studies, will provide a basis for further consensus among these presidents, and through them, among our member institutions.

I wish to close by repeating a couple of thoughts that I expressed to the NCAA Convention in January. First, I believe that almost everything occurring in intercollegiate athletics today is exceptionally positive. One national magazine, after an essentially anecdotal review of the experiences of a handful of student-athletes out of the quarter million young people in our programs, concluded that I was a "Pollyanna" in this assessment of intercollegiate athletics. I repeat that assessment here today: although there are problems attendant upon our programs -- with which we clearly must deal and are dealing -- our intercollegiate athletics system is one of which may be uniquely proud.

Second, having said this, I also think we in intercollegiate athletics must not lose our sense of direction. Our mission within the NCAA -- members, officers, and staff -- is not football, not basketball, not national championships; our

mission is education of young people. Our real purpose is to prepare student-athletes to be major contributors to and successful people in society while also providing meaningful opportunities for intercollegiate athletics competition on a level playing field.

Thank you.

Chairman WILLIAMS. Thank you, Mr. Schultz. Tell the remaining members of the committee—I see a number have already gone to respond to the vote—we will keep the committee hearing going. If members wish to leave and cast their vote on this first vote of the day, please do so now.

Mr. Jeff Farris is the Executive Director of the National Association of Intercollegiate Athletics.

Mr. Farris, we are pleased that you found time to be with us today. Thanks for coming, and we will look forward to hearing your testimony.

STATEMENT OF JEFFERSON D. FARRIS, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF INTERCOLLEGIATE ATHLETICS

Mr. FARRIS. Thank you, Mr. Chairman and members of the subcommittee.

We appreciate this opportunity to tell you a little about the NAIA and some of the things that we do. The NAIA is a fifty-year-old autonomous association of 488 member colleges and universities from throughout the United States and Canada.

The Association governs approximately forty percent of the four-year college athletic programs in this country. Our college serves some one million students, sponsoring four thousand athletic teams involving about 82,000 athletes. Five members of this subcommittee graduated from NAIA institutions.

The Association takes pride in having been the first organization to offer national championship competitions to black athletes, the first to admit into membership predominantly black institutions and the first to offer a program of intercollegiate championships for both men and women.

The National Association of Intercollegiate Athletics is governed by college and university presidents, chief executive officers and former university presidents.

We strive to make athletics an integral part of an institution's overall student development program, governed, controlled and financed in the same way as all other institutional programs.

In summary, we operate as a higher education association rather than solely as an athletic association. Ours is an educational model rather than a business model. The semantic differences may be subtle, but the philosophic and operational significance is substantial.

There is temptation to come before this committee this morning and try to ignore or gloss over the problems in college athletics. There is so much good about the NAIA athletic programs, our athletes and our athletic staffs that one would like to dwell only on that.

However, you do not have to spend much time with the daily news to know that there have been serious problems in college athletics.

The membership of the NAIA recognized several years ago that problems existed and the potential for still greater problems was present. There was temptation to say that those factors were really confined only to the larger schools and to the major programs.

Logic dictated that, even if that were true at the moment, there was no reason to believe that the potential for such problems would not eventually reach all levels of college athletics.

The time allotted to me does not permit a recitation of all of the things we plan to do in the NAIA. I also believe that we should respect you enough to confine these remarks to what we have done. We are prepared to be judged by our actions rather than our promises.

The NAIA has established a council of presidents as our governing body. Athletic programs of the NAIA are financed at institutions in essentially the same way all other institutional programs are financed. Thus, control remains campus-based.

The administration of the institution must maintain control of their programs and we believe that control must extend to the basic governance of the association.

We have adopted a very simple guiding principle. We believe that students go to college to get an education. That education is defined by the faculty of the institution. Our rules make abundantly clear to the student why he or she is there.

Let me tell you a few of the things specifically that we have done.

Students who enter college at risk must be protected, not penalized but protected, until they are established academically, but the real issue is what happens after they are in college.

All credit to determine eligibility must be credit that counts toward a degree. Remedial and other non-degree credits simply will not count.

Eligibility must be established at the beginning of each school term. Education is a continuing process, even for sports that cover two or more school terms.

Students must accumulate degree credits as they move from one season to the next. For instance, an NAIA athlete in basketball completing four years of eligibility will have earned a minimum of ninety-six semester hours of college credit.

College students must take courses related to their requirements for their degree. A student must have satisfied two-thirds of his or her required courses before participating for their fourth season of eligibility.

A satisfactory grade point average of at least 2.0 must be earned and maintained to participate during the third and fourth seasons.

Drugs remain a concern for all of society including college athletics. The NAIA as an educational association has elected to take an educational rather than an enforcement posture regarding drugs.

All member institutions must conduct a substance abuse education program including drugs, alcohol and tobacco for all of their athletes. To be consistent with our students, the NAIA accepts no advertising or sponsorship money from any alcohol or tobacco products.

Public accountabilities or responsibility the NAIA recognizes and accepts. Beginning next year each member institution will be required to submit an annual report. This report, submitted by the college president, will include such data on athletes as graduation rates, grade point averages and admission scores on a sport-by-sport basis. The information will be published.

We are not without problems in NAIA. There never has been, nor will there ever be a time when some college students are not having problems, whether athletes or not.

Our commitment is to see that our students understand the reason they are in college. We believe our policies and regulations demonstrate our belief that the reason a student goes to college is to get an education.

The NAIA thanks the committee for this opportunity and I will be glad to answer questions.

[The prepared statement of Jefferson D. Farris follows:]

TO

Subcommittee on Postsecondary Education
616 House Annex 1
Washington, D.C. 20515

ATTENTION: Colleen Thompson

TESTIMONY OF

Dr. Jefferson D. Farris
Executive Director
National Association of Intercollegiate Athletics

DATE

Thursday, May 18, 1989

TIME

9:30 A.M.

NAIA

National Association
of Intercollegiate Athletics

1221 Baltimore
Kansas City, Missouri 64105
Telephone 816/842 5050

It seems appropriate to begin with a brief description of the National Association of Intercollegiate Athletics. The NAIA is a 50 year old autonomous association of 488 member colleges and universities from throughout the United States and Canada. The association governs 40 percent of the four-year college athletic programs of the country by establishing eligibility requirements and conducting twenty-one national championships. Our colleges serve approximately one million students. They sponsor 4,117 athletic teams involving 82,317 varsity athletes.

The NAIA had its beginning as a national basketball tournament in 1937 and rapidly grew into a national intercollegiate athletic governing body. The association takes pride in having been the first organization to offer national championship competition to black athletes, the first to admit into membership predominantly black institutions, and the first to offer a program of intercollegiate championships for both women and men.

The National Association of Intercollegiate Athletics is governed by college and university presidents, and our chief executive officer is a former university president. We strive to make athletics an integral part of an institution's overall student development program - governed, controlled and financed in the same way as all other institutional programs. In summary, we operate as a higher education association rather than solely as an athletic association. Ours is an educational model rather than a business model. The semantic differences may be subtle, but the philosophical and operational significance is substantial.

There is temptation to come before this committee this morning and try to ignore or gloss over the problems in college athletics. There is so much good about our NAIA athletic programs, our athletes, and our athletic staffs that one would like to dwell only on that. However, you don't have to spend much time with the daily news to know there have been serious problems in college athletics.

The membership of the NAIA recognized several years ago that problems existed and the potential for still greater problems was present. There was temptation to say that those factors were really confined to only the larger schools, to the major programs. Logic dictated that even if that were true at the moment, there was no reason to believe the potential for such problems would not eventually reach all levels of college programs.

For the past several years, the members of the NAIA have worked hard to keep the 40 percent of college athletics governed by our association within priorities that deserve the respect of students, parents, faculties, and all of those who must support our institutions.

The time allotted to me does not permit a recitation of all of the things we plan to do in the NAIA. I also believe that we should respect you enough to confine these remarks to what we have done in recent years to improve the governance of athletics in the NAIA. We are prepared to be judged on actions rather than promises.

- The NAIA has established a Council of Presidents as our governing body. Athletic programs in the NAIA are financed by institutions in essentially the same way all institutional programs are financed, thus the control of the programs remain campus based. The administration of the institution must maintain control of all these programs, and we believe that control must extend to the basic governance of the association.

- We have adopted, as a guiding principle, that students go to college to get an education. That education is defined by the faculty of the institution. To allow students to participate in athletics without recognizing that basic reason for attendance is unfair to the student and seriously diminishes the purpose of the university. Our rules make abundantly clear to the student why he or she is there.

- Students who enter college at risk of success of achieving the educational goal must be protected, not penalized, but protected until they are well established academically.

- NAIA students must make demonstrable progress toward a degree if they are allowed to continue to participate. We require:

  - All credits used to determine eligibility must be credit that will count toward a degree - remedial and other non-degree courses will not count.

  - Eligibility must be established at the beginning of each school term. Educational success is a continuing process, even for sports that cover two or more school terms.

  - Students must accumulate degree credits as they move from one season to the next. For instance, an NAIA athlete in basketball completing four years of eligibility will have earned a minimum of 96 semester hours of degree credit.

  - Courses students take must relate to the requirements for their degree programs. A student must have satisfied two-thirds of his or her required courses before participating for the fourth season.

  - A satisfactory grade point average of at least 2.000 must be earned and maintained to participate for the third and fourth season.

- Drugs remain a concern for all of society, including college athletics. The NAIA is an education association and has elected to take an educational rather than an enforcement posture regarding drugs. All member institutions must submit plans and conduct an extensive substance abuse education program - drugs, alcohol and tobacco - for all of their athletes. Also, the NAIA accepts no advertising or sponsorship money from any alcohol or tobacco product.

- Public accountability is a responsibility the NAIA recognizes and accepts. Beginning next year, each member school will be required to submit an extensive annual report at the end of the school year. This report, submitted by the college president, will include such data on athletes as graduation rates, grade point averages, and admission scores on a sport-by-sport basis. The information will be public. It is the intent of our Council of Presidents to continue to examine these data toward the possibility of establishing membership criteria from the results.

We are not without problems in the NAIA. There has never been, nor will there ever be a time that some college students are not having problems - whether they are athletes or not. Our commitment is to see that our students understand the reason they are in college. We believe that athletics - just as music, drama, student government and other activities - can be conducted so they contribute meaningfully to the college experience. However, such activities must never be allowed to interfere with the basic objective of a college education.

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Chairman WILLIAMS. Thank you.

Mr. Atwell, in your testimony you suggest that the leadership to reform this system should come from the institutional level. You referred to—quoting, now—"the CEO with the support of the institutional governing board."

Now, I think we all know of college presidents who have lost the support of the governing board because of a dispute between the president and the coach.

Given this tension, how realistic is it to assume that the reforms can come from the president's office or can be made at the campus level at all?

Mr. ATWELL. Presidents need help, Mr. Chairman, and they need help most notably from their governing boards. I would have to concede that too often the governing boards have been part of the problem, and they need to become part of the solution.

There is no question that presidents are in a lonely position out there, but I agree with Dick Schultz that the reform of intercollegiate athletics and the assurance of integrity absolutely has to start at the institutional level, and the single most important player is the president, but, yes, the president needs a great deal of help.

Then you move on to the conference level, where coalitions of presidents need to get together. Finally, you have the national level, but it has all got to start at the campus level and the president is the key player but cannot do it alone.

Chairman WILLIAMS. Mr. Deford, in your statement you were critical of your own industry for the coverage of student athletics.

You are editor in chief of your own daily national sports newspaper. How do you plan to cover big-time college athletics?

Mr. DEFORD. I think where we have failed is not so much the complaint that was voiced earlier, that we spend too much attention on football and men's basketball. If that popular commodity is out there, we are going to cover it.

It is like those complaints, why doesn't the press write about the nice teenagers instead of the ones who mutilate their parents? It is simply the nature of our business to go to the glamour and the glitz.

Where we have failed is that we have not covered the underside as well as we should have. Particularly in college athletics, it is very rare that anybody goes to Mission, Kansas to find out what in the world is going on with the NCAA.

We cover professional baseball and Commissioner Giamatti, or professional football and Commissioner Rozell. We cover boxing promoters carefully and we scrutinize them. We have failed to do that with college athletics. That is where we have let the franchise down.

Chairman WILLIAMS. Mr. Miller?

Mr. MILLER. Thank you, Mr. Chairman. Thank you all very much for your testimony.

Mr. Atwell, in your prepared statement, you suggest that, first of all, most of what we have read about in the press in terms that have been negative are a few well publicized problems that plague big-time intercollegiate athletics, simply isolated cases in an otherwise healthy enterprise.

First of all, I do not know whether that is true or not. I understand—go ahead.

Mr. ATWELL. Mr. Miller, I do not believe that is my position, and if you read it that way then I have not communicated to you clearly.

My position is that, even if you were able to get rid of all of the bad apples, we have a major systemic problem. I have tried to describe in my prepared testimony and my summation here this morning what I think is the nature of the systemic problem.

Mr. MILLER. That is consistent with your recommendations, and I stand corrected. I embrace your latter position, that this is a systemic problem.

I have spent, over the last couple of years, a considerable amount of time with big-time athletes, prime time players in Division I, in both major sports and minor sports. I am not sure those coaches draw a distinction in terms of how they use those athletes' time and some of the casualty rates.

What concerns me in my discussion with those young people is, while they have been successful, they will also recount the casualties on their teams, young people who have suffered really substantial abuse at the hands of their coaches that goes unreported. We all wonder what happens in the locker room at half time. In some cases it is not very pretty.

The acceptance of or turning a blind eye to rather substantial alcohol and drug abuse because a player is a "prime time" player, is common they tell me. The recognition of players engaged in illegal, unethical activities is almost campus-wide in some instances. They recount this in a manner that should concern us, because they say, "You have got to do it to win. We cannot play, we cannot compete, we will not make the final sixty-four, the final thirty-two or the final eight without that player." That is what is driving this process.

Perhaps many people do not think this about athletes, but apparently they are reading the papers. They can recite Drexel-Burnham and they can recite the problems here in Congress and they can recite the problems in Iran-Contra, and they do not see themselves much different than what is going on in the country.

When I read the press accounts of whether or not a coach has given somebody a ride to school or back from school or picked them up for practice, and whether that is a gift or not—I am reminded of when the engine fell off the DC-10 in Chicago. In that investigation the committee found a work order from the manufacturer to the airline, and it listed a number of things that were wrong. It said that, first of all, the call button for the flight attendant would blink and that the food cart brakes slipped and that the carpet was loose in first class and, by the way, if the bolts are not on securely, the engine will fall off.

I am just questioning whether or not the NCAA is looking into what are some serious systemic problems in terms of the real price that young people are paying to compete in these athletics. I say that because it reminds me of people who go to Safeway and think that those oranges "just happened" to get there and do not understand that that product is brought to them on the sweat and the

subsidy of hard working farm workers who pay a horrible price to produce that food.

In some ways, these athletes, in spite of their GPA when they come to college, really have exhibited many of the qualities we said that we wanted to see in minority youth, minority communities and in troubled communities—the discipline, the ability to turn away from other activities in favor of sports. I just question whether or not the universities are fostering what is the best in these kids or they are letting them exhibit bad habits and doing very little about it.

I just question whether the NCAA is involved in a lot of minutiae as opposed to what are serious problems with respect to the memberships on some of these teams.

Mr. SCHULTZ. Is that a question?

Mr. MILLER. That is a question.

Mr. SCHULTZ. I think you would find that, while there are abuses that you spoke of and while there may be rules that are minutiae, that much has been done, that there are serious investigations that have gone on, there have been serious steps that have been taken—I refer to 1985 and steps that have been taken since that time.

Indications are that the number of reported rules violations are down substantially, probably because of the action taken in 1985.

I think in most cases the minor violations get blown out of proportion when they are talking about that, just like people will say, well, the NCAA never penalizes major schools, they only penalize the small schools. I think if you take a look at the record the last couple of years you would see some very big names in intercollegiate athletics and some very large schools that have been severely penalized and have taken the brunt of that.

I think also that there is always the tendency, just like there is with the Congress and the government that you referred to, when there is a problem the focus becomes very narrow and people forget that for every individual that has a problem there are thousands that are doing things the right way. I would say that is true in intercollegiate athletics, as well.

There are nearly 270,000 NCAA athletes, and even if we narrow it to the Division I-A programs in the football and the Division I basketball programs, I would say that for every athlete that you read about that has a problem there are many, probably hundreds at that level, that are doing things the right way, that are graduating with their class on time, that are leaders on their college campus, that are involved in Big Brother and Big Sister programs, that are visiting crippled children's hospitals; that are doing things exactly right.

As Mr. Deford mentioned, no one writes about those, but it is interesting to write about the problems.

I do not think it can be fairly said that the NCAA is standing by as an organization and not dealing with the serious problems.

Mr. MILLER. Thank you.

Chairman WILLIAMS. Mr. Coleman?

Mr. COLEMAN. Thank you, Mr. Chairman. I assume that we might have time to go around again.

Chairman WILLIAMS. We will limit the members, as we did the witnesses, to five minutes or thereabouts, and then we will have a second round of questioning for anyone who would like it.

Mr. COLEMAN. Okay. Let me ask Mr. Atwell.

I note your very constructive proposals, and one of them that I would like to ask you, and perhaps other panelists might want to respond, about your suggestion of eliminating athletic scholarships and relying totally on need-based programs that we provide and are provided to other students.

One of the arguments that I hear constantly about the recruitment and about allowing young people to participate in sports because they are athletes is that this is their ticket to college.

Now, Mr. Atwell, you are president of the umbrella organization of higher education. Haven't we provided literally millions of tickets to colleges around here? Isn't that what we have been doing on this committee for twenty-some years, spending billions of dollars.

In fact, every college athlete that comes through, if in fact they have a need, would be eligible like every other non-athlete to apply for that need, to receive it and to be able to go to college? Isn't that the case?

Mr. ATWELL. Yes. I think I am substantially agreeing with you, Mr. Coleman. That is the basis of my proposal, is to treat athletes the same as you do other students, and the needy ones will qualify for student financial assistance, Federal, state and institutional, just as do other needy students.

There are some pretty powerful arguments against that are self-evident, which is the contribution that these athletes make to their institution, but lots of other students make a contribution to the institution, as well.

Mr. COLEMAN. Well, am I to conclude that there are some schools, then, who somehow have different admissions policies for athletes and for non-athletes? Is that what I would conclude, then?

Mr. ATWELL. There is no question that is the case, and that is quite out front the case. Institutions have all kinds of special admission situations for athletes and for other students.

It, of course, must be remembered that most institutions in this country, including most of those engaged in intercollegiate athletics, are in fact something close to open admissions, but among the more selective institutions, sure, there are special breaks for athletes at many, but not all, of them.

Mr. COLEMAN. So we have different admissions requirements but equal opportunities for how you pay the bills. In other words, an athlete may get through the front door by different admissions but he could still pay the bills, like everybody else, who would have a need-based.

Mr. ATWELL. Under my proposal or under the status quo?

Mr. COLEMAN. Under status quo.

Mr. ATWELL. Under the status quo it is possible in Division I and in Division II institutions for the student to receive athletic aid, not need-based aid at all, but athletic aid and in some cases—in the case of the super-athlete in football and basketball and some other sports—that might be a free ride. It is not always a free ride by any means.

So athletes are treated differently in Division I and Division II institutions. I am just suggesting that——

Mr. COLEMAN. The fact is that a powerful high school athlete could go to college and decide not to play athletics, and he could still have at his disposal all of the higher education student aid programs that we provide.

Mr. ATWELL. Yes, sir.

Mr. COLEMAN. It could be up to $8,500 a year in some cases. We have talked big-time athletics. With the exception of one or two or three schools that I can recall, most of them are public institutions where their tuition is substantially within that framework of $8,000 a year.

Mr. ATWELL. That is true, Mr. Coleman.

Mr. COLEMAN. Let me ask Mr. Schultz to comment. Coaches are teachers also. You were a coach and you also taught, did you not?

Mr. SCHULTZ. Yes.

Mr. COLEMAN. Traditionally coaches have to spend less time, I suppose, in the classroom because of other requirements. I guess the question that I am getting to is about the whole atmosphere.

Coaches are retained usually not because they are outstanding classroom instructors but because they are good coaches, which may or may not be the same thing as an instructor.

The other thing is that coaches, with their add-on benefits of endorsements, television programs, all sorts of arrangements that you read about in the press, probably have the largest income of anybody on campus, including the president of the institution. Is that a fair statement in many of the big-time sports institutions?

Mr. SCHULTZ. I think that is probably correct with a limited number. I think that also is something that is out of proportion, but in some of the very highly visible programs the ancillary benefits from television, from shoe contracts, from endorsements, are substantial.

Mr. COLEMAN. What kind of atmosphere does that create on campus? Mr. Atwell might want to comment.

How do the presidents feel they have control over their institution when there is a large income flowing in through the athletic department, through visibility, through personality and all of these things that go with it? Isn't this kind of the overwhelming factor?

Mr. SCHULTZ. Well, I might mention that I think that concern was directed several years ago. I cannot say that it is totally controlled, but the membership was concerned with some of the income of some coaches and did pass legislation which requires the coach to provide to the chief executive officer of that institution an accounting for all revenue earned by athletics outside the athletic department. Most of those funds are not coming from the institution, but are coming from ancillary activities.

Most chief executive officers do have a good handle on that. I think that is a concern of some, but at least they have a complete understanding of what it is and what the amounts are.

Mr. ATWELL. Mr. Coleman, I would say that many presidents have told me that they do not really feel that they control their athletic program. They feel that they are trying to control it, but they are shoveling sand against a pretty powerful tide. When they attempt to do so, because of the visibility of these programs, the

power of the boosters and others, it is a very, very difficult process to get control of intercollegiate athletics by the president. They need help from those governing boards.

Chairman WILLIAMS. Mr. Perkins?

Mr. PERKINS. Thank you, Mr. Chairman. I am pleased to have you gentlemen with us today and I am pleased to hear your testimony.

You know, this is the Education Committee. It is not the committee that focuses totally upon the needs of sports, but it seems that sports become a vital part or an integral part, certainly, of higher education.

Just as we police defaults on student loans, I think we have a vested interest in trying to maintain some sort of standards in the way the athlete individually is treated.

I am particularly concerned when we see on the front page of the Washington Post or the sports section, as we do today, about Dexter Manley, who can go through Oklahoma State University and never be able to read, being functionally illiterate, while he is a professional athlete.

I am concerned about seeing the high attrition rate that we have at a number of these schools among the athletes, who are not getting the education that they should be getting at one of these higher education centers, but rather, seem to be treated almost as something where their school can make millions of dollars in proceeds but give very little back in return.

So I think it is, indeed, a systemic problem. Mr. Atwell, I think you gave some very good suggestions that would try to get at some of these problem.

Centering on the athletes, centering on the student, what are the interests that Mr. Schultz and the NCAA have in attempting to protect the athlete at this time or the student, as opposed to seeing that—I guess coming back to George's question earlier—that the minutiae are being enforced?

How is the NCAA going about trying to see that the athlete, the individual athlete or the individual student, is, in fact, getting a sound education? What is the NCAA doing about seeing that the attrition rate or the dropout rate among these students is reduced significantly?

Mr. SCHULTZ. First of all, I think it needs to be remembered that the primary function of the NCAA is to govern intercollegiate athletics. I think the NCAA has been drawn into the educational side of it, which really should not be their basic responsibility because of a perceived need.

They have long been concerned about attrition of athletes, about the education of athletes and how this fits. This was the reason that Proposition 48, the initial eligibility standard, was brought in, because there was a concern about athletes being admitted who were not properly prepared to go to college. It was because of a concern of the Dexter Manleys.

That was followed at the same time by an academic progress rule that for all practical purposes followed by one year the introduction of the initial eligibility rule, and that academic progress rule was actually tougher than those faced by normal students in that

it says that at the end of the second year, before you are eligible for the third year——

Mr. PERKINS. I am familiar with Proposition 48, Mr. Schultz, but that is not what I am getting at.

I am saying that we have this student down here—and I think it is ridiculous to say that the NCAA should not be included in the educational side of it. I mean, obviously you are dealing with educational institutions. You cannot just deal with the sports side of it.

What are we going to do on the collegiate level, or is something going to be done on the collegiate level, to insist that these students—and in Division I we know that football and basketball are producing great revenues indeed—in return, they do receive a good quality education.

I think a great deal of value is attached to a good quality education, but I question and I wonder what type of enforcement mechanisms you have, or are there any, or do you intend to have some in the future that go out and try to give incentives for these schools to see that these athletes are taken care of and looked after after they recruit them, while they are making this massive amount of money on them?

Mr. SCHULTZ. Again, let me come back to academic progress, because this is one item that seems to be lost by the media and by everyone else.

Everyone is aware of Proposition 48 and why it was in. I think you misinterpreted my first remark. I did not say that we were not concerned about education. I said the NCAA was established because of athletics and has been involved in admission standards and academic progress because of concerns.

I think that indicates that there is a genuine concern and interest and an importance to deal with the welfare of these particular student athletes.

The academic progress rule is one such step to guarantee that athletes are educated and well taken care of, because before they can enter their third year of eligibility, their third year, they must declare a major, they must make progress toward graduation in that major field in order to maintain their eligibility, and had that rule been in effect five or six years ago some of the instances that you have read about recently would not exist.

The normal student does not have a standard. They do not have to declare a major by that third year, but athletes do have to do that.

We have great concern about all of the areas of education. I think that you would find, if you closely examine, that there is a renewed interest in making sure that athletes are well prepared.

There are new efforts that have been made in the last two or three years individually to provide help for these people.

I think one thing that we can point to, and this was the purpose of a very extensive study that was initiated by the Presidents' Commission, was to find out some factual data about what these people are doing in school.

It was referred to earlier. Over four thousand athletes in Division I as well as a number of students who are involved in extracurricular activities were studied.

I think this provides information that will be the basis for new programs put forward by the Presidents' Commission.

You may not have been here earlier, but I did indicate that I have proposed to the Presidents' Commission and the Council, and it has been well received, a program that would certify athletic departments, that would deal with exactly the concerns that you have, that would insure that the special admissions for athletes does not exceed any other special admission that that university has.

We have to recognize that whatever that institution is, there is a lot of special admissions for faculty children, for children of alumni, for development cases, for minorities.

That is fine. That is part of the educational process, but we have to be sure that if the highest percentage for any of those other groups is ten percent, that athletes do not exceed that ten percent level.

We also in this certification program would make sure that the academic progress of the athlete is equal to at least the rest of the student body, and the same with graduation rates.

My proposal is that if those are not equaled or exceeded in that institution that there would be some type of sanction or penalty, perhaps the removal of athletic scholarships on a sport by sport basis, until that team achieved that level.

We would tie this in with a mandated five year self-study that is in place right now, again part of the 1985 convention on integrity that mandates that people outside of the athletic department once every five years study what is going on in that athletic department and make sure that the mission of that department fits in with the overall philosophy and mission of the university.

So I think there are a lot of steps in place, some that are already there and some that are taking place now, that will help correct some of these problems, but I go back to my original statement and agree with Mr. Atwell that the real solution is that the individual institution has to attack these and not do it because we have a lot of legislation either by the NCAA or by the Federal Government.

Chairman WILLIAMS. The time of the gentleman from Kentucky has expired.

Mr. Gunderson?

Mr. GUNDERSON. Thank you, Mr. Chairman. I really came back for questioning because, being from Wisconsin, I need to ask Mr. Schultz why Wisconsin was not chosen by the selection committee for the sixty-four. Just kidding.

Actually, I wanted to begin with Mr. Deford. If I heard you correctly, you said that college athletics at the Division I level were partly responsible for the deterioration of our academic levels in this country.

Mr. DEFORD. You heard me correctly in substance, sir. What I said was that it is the focus on athletics in this country and the attitude that most people have that major universities now are repositories of basketball and football teams.

This general attitude goes to the heart of our feelings about education in this country, and by extension certainly does not help it.

I think that is a perfectly legitimate suggestion.

Mr. GUNDERSON. I do not know that I agree with you. I would ask if you have any evidence to show that the rise of athletics in an institution shows a similar deterioration in its academic scores.

Mr. DEFORD. I am not saying that it is a direct relationship, that if University X has a good basketball team that therefore the educational component in that university diminishes any.

What I am saying is that the concentration of glamourous athletics in education competes with education, as it does nowhere else in the world, and in doing so diminishes education generally in the eyes of the public.

I think that most people in this country think of education, of higher education, as basketball and football teams. I do not think generally that that helps education.

As I suggested earlier, as well, there is a tremendous amount of finances and resources which are diverted to the creation of weight rooms and football stadiums and scholarships and so forth to students who do not deserve them, which could better go to academia.

Mr. GUNDERSON. I have to suggest to you that I would much rather have monetary contributions to a college coming from college athletics than I would from lotteries, which a number of states seem to be pursuing right now, and I think that you need to——

Mr. DEFORD. No, sir, you misunderstand me. The money that goes to athletics stays with athletics. It is not passed through athletics. The idea——

Mr. GUNDERSON. Okay, okay, okay. We are going to get into a semantical argument here. That is direct, but I am a University of Wisconsin graduate and I can tell you that the foundation support to that university and the enrollment competition in that university fairly or unfairly is directly related to the success or failure of its athletic department. That is a fact of life.

The choices that are being considered now as the way to solve some of the academic financial problems are to look at a lottery as a way of solving that.

You know and I know that in various states we now have lotteries to help fund education. I think that is, frankly, much worse.

I want to go on, however, to a question to Mr. Schultz.

You indicate on page nine of your report that the NCAA provides seventy-five scholarships for students who have exhausted their institutional financial aid eligibility but wish to complete their undergraduate studies.

The biggest criticism I would have of NCAA sports is that there seems to be a contract with that incoming student for financial aid as long as they are a healthy athlete, but as soon as that student is injured in football or in another sport and cannot continue to compete, somehow that athletic department or that institution eliminates any continuing interest in that student's education.

Shouldn't there be a rule that says that this is a contract? You play for us, we guarantee you an education, however long it takes.

Mr. SCHULTZ. I think that is probably a valid point. I think you were probably providing an example and I do not really want to take exception to that. I think I understand the point that you are making.

I would just digress for a moment. I would be very surprised, and I think it would happen only minimally, that an athlete would lose his scholarship because of an injury.

Most institutions that I have been associated with and that I am familiar with will extend that financial aid to the maximum in case of an injury, and in many cases even if that injury occurs outside of the athletic season.

I think your point is that, once they come to that institution, it should be the responsibility of that institution to educate them no matter how long it takes.

Interestingly enough, the NCAA is providing the grants that you referred to because there has been a reluctance on the part of the member associations to reach agreement on how they could extend financial aid.

I think this is directly related to the great mix that we see particularly in Division I, where we have a wide range of budgets, a wide range of resources.

I think you would find that most of the Division I-A schools would favor what you are proposing, but those issues usually go to a vote of the entire Division I membership, and there are many Division I schools that cannot afford to do that. So they feel that if they allowed one segment to do that, that it might require or constitute some type of unfair recruiting advantage.

Unfortunately, I do not think we are going to unwind that very quickly. I have asked, the NCAA Council and they have agreed to do so, to propose legislation in January that would allow each of the subsets of Division I, like I-A and I-AA and I-AAA, to determine their own financial aid limitations.

I think that would help solve the problem that you have, although it certainly would not deal with those other institutions.

Chairman WILLIAMS. The gentleman's time is up.

Mr. GUNDERSON. Thank you, Mr. Chairman.

Chairman WILLIAMS Mr. Owens?

Mr. OWENS. Yes, Mr. Chairman. I want to thank the people who testified today, I think that they have gone a long way in terms of restoring a sense of balance in this whole problem. We have not heard the focus on the individual athlete and the scapegoating of athletes as individuals, but we have talked about the total system and the need to make some changes in the total system.

I agree with much of what has been said, but I would like to ask a few questions. I will ask them all at once.

In an attempt to restore the balance the theories, I think, have gone off a bit.

Mr. Atwell mentioned that we should eliminate all athletic scholarships. I think that is going to an extreme, because I think universities grant scholarships for a number of reasons, recognizing people with special talents, and athletes are people with special talents. Because they are physical does not mean that we should look down on them. We give scholarships, I think, to musical prodigies and people who are artistic, good visual artists and mathematical geniuses who cannot necessarily pass an entrance examination because they are not good across the board.

We have people teaching on our campuses who are novelists and poets who have not graduated from college, but they have demon-

strated a tremendous talent and we recognize that talent. The university is not just a place where people have to have academic credentials to be recognized, given some special recognition for some other special talents.

A lot of our educational system is based upon the Greeks and the Greeks additionally have given us great philosophers and writers and mathematicians. They also gave us the Olympics and attached a great deal of importance to athletics. So I hope we can not go off to an extreme there.

Mr. Deford, you went to an extreme, I think, when you sort of said that there is a correlation between the decline of our universities and colleges and the stress of athletics.

I think that there may be a grain of truth in that, but there is so much more that ought to be looked at in comparing our universities and colleges with others in leading industrial nations. That erosion of standards—you yourself have said that only a few schools out of three thousand higher educational institutions are in big athletics.

So those few schools could not be the cause of the erosion of our overall standards to any great significant degree.

Also, only a small percentage of students participate in athletics on any campus, and to have that small percentage blamed for many other evils, I think, is going to an extreme.

I would like for you to comment on those two items and see what your reactions are to my observations.

Mr. ATWELL. Well, I will go first if I may, Mr. Owens.

Your comments about what I had to say about not having athletic scholarships but treating athletes the same as other students, I will respond to that.

That proposal on my part, which obviously is not going to be received with great enthusiasm in very many quarters, is part of what I would refer to as the need for multilateral disarmament.

If we have an overemphasis problem here, and I believe we do, we have to think about how to disarm, how to de-escalate.

So my idea is that you would begin to limit the seasons. You could limit the number of events——

Mr. OWENS. I agree with all of those steps. Let's home in on the problem, and particularly the money problem, that ought to be tackled head-on.

I think it is outrageous that coaches should have such high salaries or that we should have so many professional coaches. Why not have one professional coach and let the students do the rest of the coaching?

If we really want to tackle the problem, there are a number of other ways to tackle it other than zeroing in on the students.

Proposition Forty-Eight—I think, maybe I agree with most of that, but Proposition Forty-Two—I am not sure that that was not an extreme. Again, you are penalizing athletes who have physical talent. You do give scholarships, as Mr. Schultz pointed out. You do give scholarships in other areas.

He said, look at the scholarships you are giving in other areas for people with special talents and sort of balance it off. If you are giving more to athletes than you are to others, then maybe there is a problem.

Mr. ATWELL. By and large, I believe that financial aid to students should be on a primarily need basis. I am consistent with that pretty much across the board. I would say that about musicians, I would say that about almost anybody, and that is the policy in terms of the Federal Government's own rule in financial aid. All of it is need-based and it is, as Mr. Coleman suggested earlier, fairly generous, I think, though inadequately funded at the moment, but I think that is the way to go.

I wanted to put it in my proposal in the context of several steps in the direction of multilateral disarmament. We may differ on that particular one, although apparently we are in agreement on most of them.

Mr. DEFORD. Clearly, Mr. Owens, since Mr. Gunderson made essentially the same comments about my remarks, I was not clear.

I was not saying that the handful of schools and a handful of athletes are responsible for some of the deterioration of American education. What I am saying is that the attitude, the emphasis overall, on athletics, big-time athletics, is perhaps best expressed in the statement of a former president of the University of Oklahoma, who said, "We want a university that the football team can be proud of." That attitude prevails across the country and in that sense the emphasis on athletics everywhere in college causes a problem with our affection and attitude toward education.

Mr. OWENS. I agree with you wholeheartedly there. I would like to also ask you to rethink your statement about televising high school athletics.

Let me give you this to think about. I think it would be a great thing in the city of New York. It would drop the crime rate of young people in New York. It would increase the number of students who stay in high school.

I think there are a number of benefits that would flow from more attention being focused on high school athletics.

That is another side to the question that I hope you will think about.

Chairman WILLIAMS. Gentlemen, it is time. Mr. Poshard?

Mr. POSHARD. Thank you, Mr. Chairman. I apologize for my lateness to the committee. Several of my constituents descended upon my office this morning and I had to stay with them. Right now there is a great controversy raging in my district in the major university there concerning a football program that is losing hundreds of thousands of dollars every year. The contention of the faculty at the university that intramural sports are being sacrificed for a losing football program.

Is this generally true in most of the institutions of higher education across the country, that we are emphasizing the major college sports for a few people at the sacrifice of intramurals which would really relate to the Greek concept of a sound mind in a sound body for all of the students, which I think is what the university setting is supposed to be about.

Second, in justification for the program, I was listening to the football coach the other night and he was saying that the single greatest thing we have going for us in the football program is that these athletic skills of these young men in the program are fully transferrable to leadership in other areas of society.

Now, my question is, is there any solid evidence anywhere that has ever been gathered to suggest that people playing intercollegiate sports in this country transfer those skills into the problem solving areas that supposedly higher education is supposed to be training our young people for?

With the possible exception of Bill Bradley and a couple of other people, you know—yes, Mr. McMillen—but I am talking about—excuse me, Tom, I did not see you there.

[Laughter.]

Are there skills there that we can solidly say have been transferrable to the larger realm of what a college education is supposed to be about?

I hear it all the time. I do not know that it is true.

Mr. SCHULTZ. I do not know that there has ever been an empirical study to prove that. I think the only thing that we could go on is that there are many, many successful people in industry and business and education that would make that same statement. They would attribute much of their success, their ability to deal with failure, rise above failure, to meet challenges, to be successful directly to their athletic experiences.

I am not aware of any study, maybe someone else is, that has been conducted. I can verify that there are many, many out there that would tell you that story.

The first issue that you raise, I think, is a very interesting one. I am not sure of the institution that you are speaking of, but one thing that I have spent a fair amount of time on in the first two years, because I do think it is a major problem that we have in some institutions, is that—and the advice I have tried to give for any institution is that you have to be sure that the basic philosophy of your university and the financial resources available to that university fit with the type of athletic program that you are trying to have.

Unfortunately, too many times institutions try to use athletics as a vehicle to promote other activities and they make a commitment, they move into a level of competition that does not fit them financially or philosophically, and that is a major mistake. That is a major mistake.

I am doing everything I can. We have a restructuring committee in the NCAA that is trying to deal with that, to convince people that they need to seek their own level.

I do not think there is a lot of evidence to show that intercollegiate athletic programs are damaging intramural athletics. I personally have been associated in an administrative role with a number of major athletic programs. All of those have had huge intramural programs and they are usually funded from different sources.

Mr. DEFORD. I believe there are some state legislatures, and I think Maryland may be one of them, that prohibit by law state funds going to athletics. This is true in, I know, a number of states. This forces the university, then, to put an inordinate amount of attention upon profitmaking games rather than trying to supply the entire educational body.

Mr. POSHARD. I see. Thank you, Mr. Chairman.

Chairman WILLIAMS. Mr. Towns?

Mr. TOWNS. Thank you very much, Mr. Chairman.

I guess to Mr. Farris or to Mr. Schultz, why do you talk about academic progress rules? How can you allow a team to participate, or players to participate, who have below a C average?

The conferences, I understand, make their own rules in regard to those kinds of standards.

Mr. FARRIS. Mr. Towns, from our standpoint we will not allow students to participate with less than a C average during the third and fourth seasons. We do not apply that to them during their first and second seasons, assuming that getting adjusted and some things may take some time, but they cannot participate in the third and fourth seasons if they do not earn and maintain a C average in degree credits, not just all hours, but in degree credits.

Mr. TOWNS. So in every conference you have to have at least a C average in the third and fourth year?

Mr. FARRIS. Yes, sir, in NAIA, yes, sir.

Mr. TOWNS. Right. The other question, I guess, is to you, Mr. Atwell. You suggested the proposal of reducing the length of the season, eliminating scholarships and no playoffs in football.

Wouldn't a much more practical approach to that, I mean, be to give a five-year scholarship and in the first year a person would come in, make the adjustment to college lifeand would be able to cut down on the amount of hours that they would have to carry. Because, let's face it, it takes extra time with practice and travel and all of that.

I think we go to an extreme when we talk about eliminating half the schedule and we talk about eliminating possible playoffs and things of that nature.

Wouldn't that be a much more practical approach?

Mr. ATWELL. Well, reducing the season is, as I have suggested, a way of being sure that academics is first and athletics is second, because I think the length of season, particularly in a sport like basketball right now, with practice beginning on the fifteenth of October, and if you make the final four, ending sometime between the end of March and the first of April, is an excessively long season.

When you have eighty-some baseball games, as we do, fall and spring, that is too long a season. I think if we extend the football season past eleven games into a playoff that would take another two or three games, that is just too much competition between athletics and academics.

With respect to your fifth year proposal, I have no difficulty at all with the concept that in return for not participating in athletics in the initial year that a student would get another year of eligibility.

My main point is that I think the students should receive a message that it is academics first and athletics second, and you do not participate in intercollegiate athletics until you become academically established.

Right now a student will begin football practice in, say, the freshman year before the other students have returned and maybe even play a game before they return, and I think that is a very perverse message about why that young person is in school.

So I would say you ought to get academically established, and if in return for that you want to give them another year at the other end, colleges will not like it because it costs them money but it is academically sound to do that.

Mr. TOWNS. Well, I think that when you look at the money that is being made from athletics it would seem to me to be a very practical approach.

I know colleges that have basketball arenas that will seat thirty-some thousand, and I know that one school in particular has indicated that its average has been twenty-nine thousand per game this season.

I think that when you look at those kind of numbers there are some adjustments that could be made.

Mr. ATWELL. It does have to be said, though, Mr. Towns, that there are very few intercollegiate athletic programs at the big-time level which overall make money.

What really happens is that football makes money in probably two-thirds of the institutions in Division I-A, basketball makes money if you happen to be in the top sixty-four, but those profits, if you will, end up supporting a multisport program for men and women, and most of those sports do not produce any revenue at all.

So if you are lucky you are running, say, a $10 to $15 million dollar show that breaks even, but many institutions, and Wisconsin was one of them, as Mr. Gunderson brought out, do not make money at all—they lose money and they are trying to figure out how to cover their deficits with gifts or whatever.

Mr. TOWNS. That is the point. I do not see how making the shorter season solves that problem.

Mr. ATWELL. It would cost money to shorten the season. I have to be very clear about that. It would cost money to shorten the season.

I am advocating it not as a way to save money, because in fact it would cost money. I am advocating it because it is a signal that it is academics first and athletics second. I am urging a subsidy of athletics in all institutions, because then you get some discussion about priority.

Chairman WILLIAMS. Gentlemen, it is time.

Mr. TOWNS. I am not going to have a second round because I am not on the committee.

Mr. Schultz, you indicated, I think on page nine, that you are giving $500 thousand in terms of your scholarships. To me, that seems to be a very, very small amount when you look at the money involved in basketball, football and all the sports—I mean, $500 thousand is very little.

I say that because I have two children in college and I know what I am paying. To me, that is almost absolutely nothing to help student athletes return to obtain their degrees.

Mr. SCHULTZ. I have to look here to see exactly what you are referring to. That $500 thousand is for those seventy-five undergraduate scholarships. The NCAA provides substantially more scholarship money in the form of postgraduate scholarships, special programs and scholarships for ethnic minorities and women who want to pursue athletic administration.

You have brought up an interesting question that I think would be important for me to address, because the impression by many is that the NCAA has more money than they know what to do with.

The NCAA is really nothing more than a pass-through. You will read that we have an $82 million budget, but right off the top about eighty-six percent of that goes directly back to the institutions in the form of either revenue sharing from participation in a tournament, payment of transportation and per diem expenses for athletes, grants to conferences for drug education, minority enhancement compliance—so that is just a pass-through.

The other fourteen percent that is left out of that budget is used to cover things like scholarships that you see, the enforcement program, the administration of the championships from the standpoint of the NCAA.

So we are not talking about multi, multi millions dollars. Virtually everything that comes in the front door of the NCAA goes right out directly to the institutions themselves in support of their programs.

Mr. TOWNS. Thank you very much, Mr. Chairman. In closing, Mr. Atwell, I have to say that your proposal is like throwing the baby out with the water.

Chairman WILLIAMS. Also, we are delighted to have another member of Congress who, although not a member of this particular subcommittee, is nonetheless a valued member on the issue of athletics and education. That is Mr. McMillen, the gentleman from Maryland.

Tom, we are delighted to see you here. If you have questions for these witnesses, we would entertain those now.

Mr. MCMILLEN. Thank you very much, Mr. Chairman. I commend you for holding these oversight hearings on intercollegiate athletics. I am grateful for the opportunity to ask a few questions.

Before doing so, I would just like to make a comment about the system. I went through the system. I have a lot of good things to say about it. It was a great part of my life, but as I look out into the horizon I see the pressures that are already there increasing intensely.

You know, I often say that the Michael Jordan of the early next century will make $25 million a year jetting around the world playing professional basketball.

What televising high school sports will do to the system no one knows, but clearly all this has a tremendous potential for distorting the basic balance between athletics and academics.

What I am concerned about is that all the good in the system is going to be obscured and obfuscated by the problems that are being reported in the press and that it is going to require the NCAA and the other governing bodies to do more than shuffle the chairs on the Titanic, if you will.

I look for basic pass-to-play requirements. I think we ought to revisit very seriously the freshman eligibility issue. I cannot understand why the NCAA and other governing associations cannot support basic graduation rate reporting.

We look to establish tougher standards like Proposition Forty-Two that the American people are demanding. Eight out of ten of the American people want tougher standards.

Mr. Schultz, in your testimony you said that the NCAA aggregates their statistics and compiles an adjusted graduation rate. If Mr. Towns' bill, Mr. Bradley's bill, my bill was adjusted to conform to an adjusted graduation rate, would that be more acceptable to the NCAA?

Mr. SCHULTZ. I think, Congressman, the important thing from our standpoint if your bill would go into effect would be to be sure that the data gathered for all students is gathered in exactly the same way that it is gathered for athletics, so that you get that fair comparison and that the graduation rates of the athletes are compared to the other students.

I do believe that in fairness to both sides it should be an adjusted graduation rate.

Mr. MCMILLEN. If our bill was amended to take into account adjusted graduation of students that leave in good academic standing, then you would have—that would allay a lot of your concerns about this bill, is that correct?

Mr. SCHULTZ. I think it would, yes.

Mr. MCMILLEN. If that bill was amended as such, would you be willing to put your stamp on it now and say, we are willing to disclose this information by individual institutions tomorrow? Is this something you could move the NCAA and its member institutions to do?

Mr. SCHULTZ. I would like to point out, and I think it probably got lost in a lot of other things, that last January when the President's Commission met, just prior to the 1989 convention, they took just such action and they have affirmed that at their most recent meeting and will have legislation presented in January which—right now the indications are that it has widespread support—that would do exactly what you are asking.

As you may recall, the first time that I met with yourself and Congressman Towns and Senator Bradley the original statement was, "Dick, what we want is what you already have."

Our legislation at the present time does not allow that to be released individually. I think the institutions, led by the presidents, are prepared to do that because I think they feel that that should be public information.

Mr. MCMILLEN. Who has line responsibility for signing off for this information in institutions? I am reading the GAO report.

Does the AD? Does the president of the institution? In your surveys that you have taken, who is maintaining the veracity of the information?

Mr. SCHULTZ. It is basically the registrars. I would say basically the registrars have to provide that information and sign off on that.

Mr. MCMILLEN. One of the areas, Mr. Towns, that I think that our bill could be improved—I think the presidents of the institutions should take responsibility for that. I think the president should sign his or her name to that and say, you know, I stand by these statistics, because ultimately that is where this issue has to lie.

Curiously, in regard to Proposition Forty-Two, given the clamor and the outcry on this issue and the fact that eight of ten of the American people in an associated poll survey indicated that they

would support tougher standards including Proposition Forty-Two, will that influence your consideration of that standard?

Mr. SCHULTZ. Again, I think the best thing I can do at this particular point in time is to refer you to recent action that has taken place since that convention. The Presidents' Commission at their last meeting also agreed that they would present legislation in January which would support the concept of Proposition Forty-Two but would amend the financial aid by-law.

One of the controversies in that legislation was not the increase of standards but the fact that current rules that have been in existence ever since scholarship limitations were put in place on a sport-by-sport basis systematically said that if you are a recruited student athlete and not eligible for athletic aid you cannot receive any other aid.

The reason is obvious, to keep people from circumventing the rule and bringing in fifteen basketball players on a basketball scholarship and having another fifteen stashed in the student body receiving financial aid based on need.

That created a problem for Forty-Two and the legislation the presidents are talking about would amend that by-law, so that if an institution admitted someone who under our current terms would be a partial qualifier they would count against that sport, but they could receive financial aid based on need that is available to any other member of the student body.

So it guarantees opportunity but does penalize the institution participation-wise and athletically if they do that.

Chairman WILLIAMS. The time of the gentleman from Maryland——

Mr. MCMILLEN. Just one closing comment. I think that is excellent, I mean to have a provisional exception even to transition Proposition Forty-Two, but the point is that you are engaged in a P.R. battle and the P.R. battle is that the American people think our colleges and universities are not doing enough.

I urge you to seriously think about the ramifications as these pressures mount in years to come.

Mr. Chairman, thank you very much.

Chairman WILLIAMS. Thank you, Mr. McMillen.

Some of the members may wish to have a second round of questions. Let me begin that by referring to a chart that has been prepared for us by the General Accounting Office.

I wrote the General Accounting Office last month and asked them to provide information to this subcommittee concerning academic performance and certain other issues related to student athletics.

They were very helpful to us and they submitted not only a fine report but this chart, as well. The chart that you see before you here refers to athletics, graduation rates and compares that with all students. They do it for three divisions: A, AA and AAA.

As you note, in each instance the student athletes' graduation rate is found to be higher than the average of all students.

Now, just for the purpose of the chart, let us accept that. I have no reason not to accept it. I assume the veracity of the people providing the information, which was the NCAA and the NAIA and

the Department of Education. Institutions around the country provided the information. So let us assume it is correct.

Is it surprising?

Mr. ATWELL. Mr. Chairman?

Chairman WILLIAMS. Just one moment, Mr. Atwell. Let us take a literature major, a high school graduate who wants to be a lit. major or artist, carpenter, but he or she wants to get four years in first, a lawyer.

Mr. ATWELL. Mr. Chairman?

Chairman WILLIAMS. Give that student financial generosity to the same degree that we give athletes. Provide that high school senior interested in literature with the same attention we give to our star athletes, because this is going to be a star literature teacher some day.

During their years in college provide them with the respect that we provide to our athletes, give them the counseling we give to our athletes, pay attention to them in the summer the way we do our athletes, admire them the way we do our star athletes, and the graduation rates of Americans in college will soar.

That is what that chart says to me. Is it wrong to do that for athletes? Of course not. But are we doing it for athletes at the expense of the literature majors? That is the question before us.

Mr. Atwell?

Mr. ATWELL. Well, Mr. Chairman, I hesitate to quarrel with the GAO, but I would really like to know whether we are comparing entering eighteen-year-olds with entering eighteen-year-olds or whether we are comparing entering eighteen-year-old athletes with a mix of other students, half of whom are nontraditional students who take a lot longer to graduate.

When we do it comparing apples and apples, the study that I have seen that most impresses me, done at Harvard, suggests the graduation rates of football and basketball players is far less, and, indeed, the chart that you do not have up there that you have down here suggests that the graduation rates in I-A, in I-A, in basketball and in football, are considerably below those of other students.

That, it seems to me, is somewhat adverse to the larger chart that you have up here.

I think the evidence is quite the contrary to what is generally publicized. The graduation rates of football and basketball players in I-A institutions is simply less than those of comparable eighteen-year-old entering cohorts.

That is demonstrated—purports to be demonstrated, at least—by this third chart over here.

Chairman WILLIAMS. Yes, and I purposely chose this chart to make the point I have made. One can make the point appropriately that you have made and question the results that are demonstrated on this chart, but my purpose in pointing this out does not countermand what you are saying, Mr. Atwell. It simply says that we do, in fact, give favored treatment, perhaps for appropriate reasons, but nonetheless we have decided to give favored treatment to a certain group of young Americans who excel in a certain activity.

The question before this subcommittee, among other questions, is, is that favored activity coming at the expense of attention to

other American students who are equally important and whose endeavors and success in life is equally necessary for the good of not only them but of this country?

Mr. SCHULTZ. I just might make one comment, Mr. Chairman.

Chairman WILLIAMS. Mr. Schultz, please.

Mr. SCHULTZ. I think that the point that you make is a very valid one and one that needs to be examined. However, my experience, again from a variety—not from the position I am currently in, but from one of spending years and years on college campuses, would say that while there is a great effort, which I applaud, to provide tutorial help and counseling for student athletes, in most institutions—perhaps not all, but on most. There are plenty of opportunities for that literature major to receive tutorial help that is free, expert counseling service from campus counseling groups, career guidance, maybe not as total, but I think you would find that nothing is being done in athletics in this area that would take away from opportunities provided to the rest of the student body.

Mr. ATWELL. I differ a little with Dick on that, Mr. Chairman.

If you were to throw the kind of resources, counseling, tutoring and academic support services, at non-athletes that you throw at some athletes, you ought to expect a lot and I think maybe this is the point you are getting at, you could really improve the graduation rates of all students. The graduation rates of all students are nothing we ought to be real proud of.

Mr. SCHULTZ. If I could just make one comment. I do not necessarily disagree with that.

My position, especially as I have approached this certification program, is that athletes should graduate at five or ten percent higher rate than the rest of the student body in comparison, simply for the reasons that have been stated here and simply because of the fact that they have an eligibility track of competition that has the tendency to hold them in school longer than the other student.

Unfortunately any type of graduation exercise is very difficult to do simply because you have to take blocks of time and you always have people in and out. This is why I had mentioned to Congressman McMillen and others that they ought to look at an adjusted graduation rate which eliminates from that mix those students and athletes also who have left school in good academic standing.

Chairman WILLIAMS. Thank you. Let me ask if Mr. Perkins will assume the chair.

I have been very pleased to chair this hearing. I have found it to be very, very helpful. We appreciate all of your counsel.

I want to apologize to the people on Panel Two. I had hoped we could get to you before I had to leave, but I have some transportation to get. I have to leave the city and my transportation will be departing shortly, so I have to go.

In advance, let me thank the four members of our—including Senator Bradley—of our final panel.

Mr. PERKINS. The chair would recognize at this time Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Chairman. Let me say that the latest exercise in proving anything by statistics has just taken place.

As I recall earlier, in other information we have been supplied, athletes generally have lower entrance examination scores but now graduate in much greater percentages than the others that had higher scores, et cetera, et cetera.

I do not think this proves anything, frankly. It does not say what kind of courses they were taking. Are we comparing some watered-down curriculum to chemistry majors, you know, that for some reason did not graduate? I do not think we need to draw too many conclusions from this.

Dick Schultz, do you limit the number of scholarships that a Division A school can award per sport?

Mr. SCHULTZ. They are on a sport-by-sport basis, yes.

Mr. COLEMAN. Do each of the divisions have an equal number of scholarships, or as you go down into Division III would they be limited to fewer scholarships?

Mr. SCHULTZ. No. Division Three has no limit on scholarships because their financial aid is based on need and so there is not any limit on that.

One of the controversies in Division III, interestingly enough, is whether or not they should consider athletic ability in the awarding of financial aid—or, I should say, in the admissions process. They still do consider athletic ability in the awarding of financial aid, but because that is all need based there is no limit.

Mr. COLEMAN. How about Division II?

Mr. SCHULTZ. Division II does have a limit on number of scholarships, but it is less than Division I.

Mr. COLEMAN. Okay. So those in Division III compete with other schools that have the same philosophy?

Mr. SCHULTZ. That is correct.

Mr. COLEMAN. Those are pretty competitive contests at times, are they not?

Mr. SCHULTZ. Very competitive.

Mr. COLEMAN. We do not see them on television too frequently, do we?

Mr. SCHULTZ. I went to a Division III school and I can attest to the competitive nature of those schools.

Mr. COLEMAN. In fact, I assume that the alumni are somewhat happy—at least they have not thrown the president overboard because they are a Division III school, but this is kind of what they want to do, wouldn't you say?

Mr. SCHULTZ. It fits with the philosophy and the financial resources and the direction of those individual institutions.

Mr. COLEMAN. How many Division III schools do you have?

Mr. SCHULTZ. There are well over three hundred. It is the largest of our three divisions.

Mr. COLEMAN. So this de-escalation that Mr. Atwell has talked about has already occurred in some schools under the NCAA, for example, Division III Schools?

Mr. SCHULTZ. That is correct.

Mr. COLEMAN. Mr. Farris, in NAIA there are schools, I attended one, that did not have athletic scholarships but competed very effectively with those who did, and sometimes won championships because of that. Isn't that correct?

Mr. FARRIS. Yes, sir.

Mr. COLEMAN. Which says, that if we all took a step back on this thing we would all be able to compete on the same basis. In a very good athletic program, with national championships or high rankings, if everybody did the same thing students would not be disproportionately affected in that competition or in the schools that they could compete with. Isn't that true?

Is this oversimplification?

Mr. SCHULTZ. I think that is correct.

Mr. COLEMAN. So we could do it—still have good athletic contests, still have the spirit, still have, if we wanted to, the revenue.

There is nothing that says that CBS is not going to carry basketball because there is not X number of scholarship players on the team. I bet the competition would be just as good.

I am getting nodding heads, but the record is kind of silent here.

Mr. FARRIS. Yes, sir.

Mr. SCHULTZ. I think if you could get institutions to agree on an across-the-board basis for the awarding of financial aid, that you would not probably see—at least it would not be noticeable by the general public—any decrease in the level of play.

Mr. DEFORD. Mr. Coleman, I do think you would be naive to think, though, that the inducements that are provided now under the table would not continue.

That is a fact of life now, and simply taking away the scholarships would not mean the venal boosters and so forth would not continue to supply those aids to try to get the best athletes to their schools.

Mr. COLEMAN. Do you want to name some of those so-called under-the-table—are these violations of current rules or unenforced rules or what?

Mr. DEFORD. If you have ever sat around a professional locker room and heard the athletes talk about the kind of inducements and bonuses that they got in college, I can assure you that it is a fairly widespread practice. I do not think anybody would dispute that.

Mr. COLEMAN. Mr. Schultz, this is your responsibility to insure that this does not happen, correct?

Mr. SCHULTZ. Well, as I mentioned earlier, you are not going to legislate integrity.

While we have a very vigorous enforcement program, obviously there will always be people who will feel they need a competitive edge and will step across the line.

The reason I was smiling is because—and I am not attempting to be naive in any way, shape or form. I have coached at that level. I have had to deal with that. I chose a different path than some.

There is some of that that goes on and I will be the first to admit it. I do not think there is as much as there used to be.

There is a common thought among coaches, who all view themselves as super recruiters, that if they cannot recruit an athlete, if they lose him to another school, it is not because the other school outrecruited them, it is because they perhaps gave them something that they did not offer them.

I have been in those locker rooms and I have heard athletes. It gets to be one-upmanship sometimes, that they feel they are not important unless they do have something special.

I think that, while some of that is true, some of it gets a little bit blown out of proportion also.

Mr. COLEMAN. Thank you.

Mr. PERKINS. I guess the gentleman Mr. Poshard has left us. At this time I would like to thank the gentlemen before us for rendering their testimony today.

I think it has been quite informative. I think you have probably discovered that there are as many opinions on this committee as there are sitting at the table in front of us, but it is helpful to have a dialogue of this sort.

It is certainly something that we shall consider in due course.

I thank you very much for taking your time from your busy schedules and appearing today.

Mr. ATWELL. Thank you.

Mr. SCHULTZ. Thank you, Mr. Chairman.

Mr. FARRIS. Thank you.

Mr. PERKINS. At this time we would like to call the second panel, Dr. Donna Lopiano and Sister Mary Alan, and joining us in a few minutes is going to be Senator Bill Bradley, who is going to join us with this panel.

At this time we would like to ask Dr. Lopiano to begin with her testimony.

STATEMENT OF DR. DONNA A. LOPIANO, DIRECTOR OF INTERCOLLEGIATE ATHLETICS FOR WOMEN, UNIVERSITY OF TEXAS AT AUSTIN, TEXAS

Dr. LOPIANO. Thank you, Mr. Chairman. It is very intimidating for you to ask an Italian to limit her remarks to five minutes, but I will do my best.

I am the Director of Intercollegiate Athletics at the University of Texas at Austin, and I have to say that my views do not necessarily represent the views of the University of Texas at Austin. Rather, I am speaking as an educator, an expert in athletic administration, and my credentials appear in my written testimony.

Our women's athletics program at the University of Texas is very good. Every sport is consistently ranked in the nation's top ten. We have won fifteen national championships in the last eight years in six different sports.

With regard to total program, we have been ranked number one, number one and number two over the last three years in a national sports ranking poll. I had hoped Mr. McMillen would be here, or at least Coach Thompson, because I wanted to assure them also that we had an outstanding women's basketball program, one which won a national championship three or four years ago and which for the last four consecutive years has set national attendance records.

We average 8,400 fans a game and earn over $500 thousand a year at the gate, but I think, more importantly, we are just as good in the classroom.

While I recognize the charts in front of me prepared by the GAO as garbage, and looking at some of the adjusted graduation rates presented by Dick Schultz as somewhat similar, I would like to tell you that, of athletes who have completed four years of athletic eli-

gibility at the University of Texas—female athletes—ninety-three percent have graduated, and that is a total figure in the last fifteen years of the program.

We have a seventy-four percent retention rate. We have a 2.2 percent academic failure rate. Forty-six percent of our current student athletes hold cumulative GPAs of 3.0 or better.

I take the time to tell you these things because I want you to know that academic integrity is a matter of will at the institutional level and academic integrity is not incongruent with winning. You can have an outstanding program and still have academic integrity. The lack of academic integrity is not an inherent dysfunction of intercollegiate athletics. I think those are important prefacing remarks.

I tried in my written statement to bullet for you a numerous number of facts which describe the failure of the system that was previously addressed by another panel, and that supports the description of the leadership of many of the big-time Division I and II programs as the last bastion of white male chauvinism.

In far too many institutions, and especially in many of our largest and most respected public research institutions, there has been a failure of educational leadership the magnitude of which can only be described as almost criminal.

We practice—and I use the term "we" in a very figurative sense—we practice gender and race discrimination in employment. We ignore Title IX whenever we can. We are taking money away from other students, and I hope I get a question to that when my five minutes expires.

We make the words "academic integrity" a joke. We exploit the athletic ability of stud student athletes who are usually black and we do our very best, at least to these young people, to prevent them from succeeding academically.

The next question should be, can this be fixed? I would suggest that only three pressures are going to work.

Number one, I think it is perfectly appropriate, since intercollegiate athletics has failed to clean up its act in the last eighty-three years, that legal remedies for both the individual and laws which require the Office of Civil Rights to enforce certain notions of nondiscrimination are important.

Secondly, I think that the attention of state agencies and Federal agencies via hearings such as this are important, especially state agencies acting in ways to affect the financial support of colleges and universities.

Third, I think Mr. Deford has a function to play in the sense that the press' incessant attention of the media criticizing the current status of intercollegiate athletics will have an effect in terms of bringing sanity back to the program.

I will answer any questions you have.

[The prepared statement of Dr. Donna A. Lopiano follows:]

STATEMENT OF DONNA A. LOPIANO, Ph.D.
BEFORE THE SUBCOMMITTEE ON POSTSECONDARY EDUCATION
OF THE COMMITTEE ON EDUCATION AND LABOR
U.S. House of Representatives
May 18, 1989

I am Donna A. Lopiano, currently the Director of Intercollegiate Athletics for Women at The University of Texas at Austin, a position I have held since 1975. Please note that my views do not represent the views of The University of Texas at Austin. Rather, I am speaking as an educator and expert in athletic administration. My doctorate is in physical education with an emphasis in administrative theory and behavior and a specialization in athletics administration. Prior to my fourteen year tenure at The University of Texas at Austin, I was a coach of both men's and women's varsity sports and an athletics administrator in a public urban institution which did not award financial aid based on athletic ability and supported a program of 30 varsity sports for men and women (14 men's sports, 10 women's sports and 6 co-sexual sports) with a total annual budget of $200,000.

I am currently a full-time administrator of an eight-sport women's athletics program with an annual budget of 3.5 million dollars. The University of Texas women's athletics program has been ranked #1, #1 and #2 respectively in the Knoxville Journal National All-Sports Ranking over the last three years. Each of our sports is consistently ranked among the top ten in Division I, the most competitive division of the National Collegiate Athletic Association. Our women's basketball team finished this season tied for 5th place nationally, setting the national attendance record in women's basketball for the fourth year in a row with an average of 8,481 fans per game, and earned over half a million dollars in gate receipts, sponsorships and advertising. It may be the only women's basketball program in the nation where revenues exceed expenses. In short, we are demonstrating that women's athletics can be a commercial success.

On Academic Integrity

More importantly, our program is also an educational success. Ninety-three percent of all female student-athletes who have completed four years of athletic eligibility since the inception of our program in 1975 have earned baccalaureate degrees. We have a 74% female athlete retention rate, compared to 55% for the general student body. In other words, of every 100 students who enter The University of Texas at Austin, 55 have graduated or are still enrolled five years later. That number is 74 for any group of 100 entering female athletes. In the fourteen years of our program, only 2.2% of all student-athletes have left the program due to academic failure. Forty-six percent of all women athletes hold 3.0 or better cumulative grade point averages (3.0 equals a "B" average). Eachof our student-athletes is trained in the skills of being a public figure; from public speaking, to handling media interviews to the necessity of adhering to the highest standards of public behavior. We are very serious about the responsibilities of our student-athletes as role models.

We see nothing incongruent between the expectation of athletics and academic success and diligently enforce high standards in both areas. At the most basic level, these academic accomplishments are a reflection of the hard work of our student-athletes and efforts of coaches who are held directly responsible by the University administration and a faculty athletics committee for the achievements of their players in the classroom as well as on the playing field.

In my professional opinion, it is not unreasonable to expect student-athletes to have higher graduation and retention rates and lower academic failure rates than the general student body given the superior personal and academic support systems commonly offered by such programs. If young people have the opportunity to pursue professional sports prior to completing their baccalaureate degrees, there is no reason why they shouldn't leave the University in good academic standing. Further, as coaches and athletics programs push student-athletes closer to their physical and psychological limits in the name of winning and skill excellence, they are obligated to make every effort to offset the dysfunctional effects of such stress with support programs which protect the student athletes' health and the integrity of their academic efforts. To do otherwise is to practice exploitation.

Academic integrity is, in reality, a matter of "will" -- rather than an inherent dysfunctional consequence of athletics participation. If a coach can say, "If you come late to practice, you don't play," then a coach can say, "If you miss class, you don't play." Show me an athletic program where athletes are not performing in the classroom and I will show you:

- a coach and athletics administrator who deny any responsibility for the academic performance of the athletes they recruit, yet expect daily athletic output to the point of physical and mental exhaustion
- a program that does not control the amount of classes missed by student-athletes due to athletics participation
- sports that make unreasonable time demands for practices, team meetings and weight training
- alumni supporters and athletics personnel who believe in the myths of:
  - -- "you can't win without illiterate black studs -- male or female"; and
  - -- "just the experience of a year or two in college is good enough for black kids who don't graduate because they wouldn't have been able to go to college anyway"; and
  - -- "these black kids need easy courses because a success experience in the classroom will increase their self-esteem and make them feel better about being an exploited black athlete in a predominantly white, elitist and still somewhat racist institution"

Female athletes are performing better in the classroom than their male counterparts only because doors to high salaried professional sport participation are still closed to them and they clearly see that the end of their sport career is the end of their college career. Their ticket to financial success is a degree rather than the dream of becoming a professional sportswoman. However, let's not kid ourselves. The black female athlete is just as academically exploited as the black male athlete.

The Facts On Race and Gender Discrimination

In my professional opinion, intercollegiate athletics in many of our nation's major public universities and research institutions is the last bastion of white male chauvinism and is openly discriminating against women and blacks in participation opportunities, the provision of educational opportunities via athletic scholarships, access to bona fide academic programs and the employment of coaches and administrators. If these appear to be fighting words, they are. Here are some facts

to prove the point:

- The proportion of black athletes in women's sportts programs is significantly less than in men's sports programs, primarily because of the effect of the large number of black athletes in football.
- Black men or women coaches, administrators, officials or athletics support personnel are virtually non-existent.
- Female athletes are still receiving less that 20% of the athletic dollar (Uhlir, 1984).
- In most institutions, the average total dollars spent on **all** women's sports is equal to or only slightly above the average total expenditurres for men's basketball **alone** (Raiborn, 1986).
- For every two scholarships given to male athletets, women athletes receive one (Survey of NCAA..., 1988).
- Females comprise over 53% of our college studentt population and only 33% of our college athlete population -- of 268,766 student-athletes participating at NCAA institutions last year, only 89,825 were women (Participation Study..., 1989).
- Contrary to popular thought, men's sport participation has not suffered at the expense of providing participation opportunities for women -- there are 9,141 more male athletes today than there were in 1981 (Participation Study..., 1983 and 1989)
- In 1972, 90% of all collegiate women's athletics programs were governed by women administrators; today that proportion is 16% (Acosta and Carpenter, 1988).
- Among the 300 Division I institutions in the NCAA, institutions with the most competitive athletics programs and highest administrative salaries, only one woman currently heads a merged department of men's and women's athletics and there are only nine Division I programs which are unmerged like Texas, where a separate women's athletics program is headed by a woman.
- In 32% of our nation's athletics programs, there are no women athletics administrators (athletic directors, associate directors or assistant directors) even though in over 300 of those schools there are at least three athletics administrator positions (Acosta and Carpenter, 1988).
- There are only 14 women among the 121 conference commissioners in the nation -- 13 of these women serve as head of women's-sports-only conferences. Only one holds a commissioner's position in a conference governing both men's and women's sports.
- Only 9% of the faculty representatives voting at the NCAA Convention are women (Lovett and Lowry, 1989).
- Less than 44% of all women's teams are coached by women (Acosta and Carpenter, 1988) and less than 1% of all men's teams are coached by women -- men's sports is a male cloister; employment opportunities for female coaches of men's teams are almost non-existent.

- About 5,757 jobs existed in 1988 for head coaches of women's teams. This was an increase of 52 jobs since the previous year, but women did not share in any of the increase and actually hold seven fewer jobs than in 1987 (Acosta and Carpenter, 1988).

- Women athletics administrators' median salaries are $10,783 less than their male counterparts (Uhlir, 1987).

- Coaches of women's basketball make 39¢ on the dollar compared to their counterpart coaches of men's basketball (Uhlir, 1987).

- Less than a third of all the committee positions in the NCAA are held by women; and that percentage drops to 20% among the NCAA's most powerful committees. These numbers reflect minimum representation limits established by the NCAA when they opened their doors to women sports in 1981 -- there has not been a significant increase since women were let in (Lovett and Lowry, 1989).

- Equal opportunity employment laws are virtually ignored in the hiring process experienced by female candidates for coaching and administrative positions -- women are hearing, "If you are young, you are going to have childbearing problems; if you are a parent, there is no way you can handle the time and recruiting demands of this job; if you do not have children, you are homosexual; and if you get to forty, you are too old because you are going to have all those hot flashes and everything"(Delano, 1988). The employment process in athletics department is in the dark ages -- no, worse than that, it's the age of the cave man.

All of these facts are not surprising, over the last eight years, enforcement of Title IX and other civils rights legislation has been non-existent. In short, despite the requirements of the law, equal opportunity in sport for women and racial minorities is still a long way off.

Barriers to Meeting Equal Opportunity Requirements

I am not exaggerating when I tell you that the mentality of Division I intercollegiate athletics is the equivalent of chasing the pot of gold at the end of the rainbow. This year, 31 million dollars is being distributed by the NCAA to participants in the Division I men's basketball championship. Getting into the tournament is worth a quarter of a million dollars and add a quarter of a million for every round you advance (Tournament participants..., 1989). No wonder everyone is on the merry-go-round chasing the golden ring. If a school strikes it rich, they increase the standard of living for the sport who brought in the gold and when success is not repeated, cut minor sports to maintain the "quality" of their programs. The guiding rules are "more money equals more winning", "we must spend as much as the Joneses", "no sports really matter except men's basketball and football" and "the answer to our financial problems are new revenue sources and selling our sports programs to commercial sponsors in return for advertising dollars."

The bottom line is that meeting the legal obligations of Title IX in the area of intercollegiate athletics is going to require a massive redistribution of existing limited financial resources, reducing the cost of intercollegiate athletics and the identification of new revenue sources simply to meet the cost of inflation. New revenue sources only will not do the trick. We'd be kidding ourselves if we maintained that sufficient new revenue sources could be developed to double the size of our athletics programs so that women can be afforded equal opportunities and new dollars in the magnitude of $50,000 to $200,000 each year can be obtained to meet the demands of inflation.

That kind of money simply isn't there.

Therefore, on the most practical level, we need to face that fact that at most institutions, program expansion and improvements in the quality of opportunities afforded female student-athletes may require:

(1) a reduction in numbers of opportunities for male athletes;

(2) an adjustment in the traditional "standard of living" of men's athletics programs;

and/or

(3) cost-cutting measures in both men's and women's athletics in order to maximize sport participation opportunities for both sexes.

The accomplishment of sex equity goals and objectives is complicated by a resistant and progressively more male dominated athletics establishment which has historically opposed the provision of equal opportunity for women due to fears that cutbacks in revenue-producing men's sports will undermine the financial stability of intercollegiate athletics. There is also an underlying belief among male athletics administrators that women's sports, like men's minor sports, do not deserve the financial support of major revenue-producing men's sports such as football and basketball.

You need to know from the start that even in the nation's most successful athletics programs (the NCAA's Division I), close to 50% of these institutions are running deficit football programs averaging $431,000 a year in the red, and over half are running deficit men's basketball programs averaging $145,000 in the red (Raiborn, 1986). Much of what you hear about men's football and basketball paying the way for other sports is a myth. Men's sports in Division I are only contributing an average of 42% of the cost of women's programs (Raiborn, 1986). In all other competitive divisions, they are contributing 0 to 9% because men's programs aren't even paying for themselves (Raiborn, 1986). Trying to protect deficit-producing men's sport programs will not solve our problems.

The Latent Dysfunctional Legacy of Title IX

There are a number of Title IX legacies which have created barriers to achieving compliance. In the name of financial savings, most of the collegiate men's and women's athletics programs in the country were merged under single administrative structures with the director of the men's program taking the top administrative position.

It isn't very pretty out there as demonstrated by the data previously presented on the numbers of women still left in the profession. Women in athletics have been increasingly moved out of decision-making positions. Most women in the profession refuse to speak up in opposition to inequities for fear of losing the positions they now have and many have left the profession altogether rather than try to fight almost impossible situations on their college campuses.

If Title IX complaints are going to be filed, they are not going to be filed by the powerless women in athletics. Rather, objections with inequities will be raised by the parents of daughters suffering inferior treatment compared to their male counterparts.

Determination of Equity: The Most Problematic Issues

Let me just briefly discuss the most problematic issues which will be encountered in the process of evaluating and developing equal opportunity athletics programs.

Equal Numbers of Sports or Equal Participation Opportunities? Title IX requires equal participation opportunities as opposed to equal numbers of sport programs for male and female athletes. Thus, the fact that the average number of sports offered for women has grown to 7.31 per school (10 years ago it was 5.61 sports) is deceiving (Acosta and Carpenter, 1988). When women's sports are added to college athletics programs, they are often low participation sports like cross country and golf which require minimal funding (Survey of NCAA..., 1988). Even if the number of sports for men and women are equal, team rosters of 50 to 100 male athletes in the sport of football often skew participation ratios. Thus, it is very important to look at comparative individual athlete participation slots as opposed to number of sports offered.

Despite the fact that college enrollments are 53 percent female, only 33 percent of all athletes enrolled in NCAA member institutions in 1987-88 were female (Participation study..., 1989). In addition, only 30 percent of the athletes participating at National Junior College Athletic Association institutions were women (Uhlir, 1987). "Fewer national championships in fewer sports and in fewer divisions are available to women than were available in 1981-1982" (Uhlir, 1987, p. 28). Thus, there is little question that colleges and universities will be asked to increase athletic participation opportunities for female students.

Despite these facts, when the economic crunch facing athletics over the past several years was confronted, it was not atypical for women's programs to share equally in budget cutbacks despite the disproportional impact of such action. Participation would still be less than equitable even if all participation cutbacks came from men's athletics. (Uhlir, 1987, p. 25). We need to be wary of budget reduction proposals which purportedly treat men's and women's athletics equally when these programs were never equal in the first place.

The "Interest" Loophole. Whether the selection of sports and levels of competition effectively accommodate the interests and activities of members of both sexes is a factor used to determine whether equal participation opportunities are being offered. Women's programs have not been expanded and many women's teams have been dropped or continued with minimal participants under the guise of "insufficient interest." Upon closer examination, many women's sport programs suffer from lack of institutional commitment to developing such programs. If, in the name of gradual development, a part-time, underpaid and unqualified coach is assigned to a new or existing women's sport program, the interest of prospective athletes may be deterred. Compared to the better paid or more competent coach of the men's team, efforts to recruit participants or time spent with student-athletes may be minimal. Often, a men's team has a recruiting budget while the women's team in that same sport has none and is dependent upon the interest of currently enrolled students. The fact of the matter is that in most Division I and a majority of Division II programs, sports program participation is not dependent on the interest of the student body; rather, it is dependent on the coach's recruiting efforts. Salaries to attract good coaches who keep athletes interested in participating, recruiting budgets, release time for coaching and numbers of assistant coaches may all relate to the number of participants in a particular sport program. Thus, eliminating women's sports due to "lack of interest" should be looked upon with suspicion.

Revenue-Producing Sport Exemption Proposals. Soon after Title IX of the 1972 Education Amendments was adopted, efforts were made to remove revenue producing sports from the calculation of equal opportunity in athletics (e.g., Tower Amendment) (Lopiano, 1975). These unsuccessful efforts were provoked by a fear that the growth and development of women's

athletics would drain the financial resources and success from revenue producing men's football and basketball programs. Chief executive officers of colleges and universities will continue to hear many athletics administrators lament over the need to protect "the goose that laid the golden egg." Athletics administrators may also suggest that revenue producing sports not be included in any comparison of athletics opportunities for male and female student-athletes. OCR has clearly interpreted Title IX and the courts have found no revenue-producing sport exemption in the calculation of equitable opportunity (Blair, 1987). Many institutions are still determining equity after first excluding football.

Opportunity to Receive Coaching and the Assignment and Compensation of Coaches

One of the most difficult equity issues in the provision of equal opportunity in women's athletics programs involves the provision of quality coaches who are compensated in the same manner as their counterparts coaching men's sports. An examination of the salaries of coaches in collegiate athletics reveals that, generally, male and female coaches of women's teams are paid less than coaches of men's teams who are predominantly male and female coaches are paid less than male coaches who are coaching the same sport.

There are two different pools of coaching candidates in the marketplace: an all-male coaches pool for revenue-producing men's sports and a mixed pool of men and women for men's non-revenue-producing and women's sports. The marketplace value of coaches in the former pool is two to five times higher than the marketplace value of coaches in the latter pool. However, the existence of this sex-segregated marketplace cannot be used to justify salary discrimination for women coaches. In fact, with the recent development of women's basketball as a significant revenue-producing sport, it will be difficult to justify not hiring coaches of women's teams from the revenue-producing sport pool or not paying female coaches of women's teams salaries equal to those of coaches in that pool.

Equally distressing as the current salary gap between coaches of men's and women's teams is the steady dimunition in the number of women coaching men's and women's sports and the number of women in professional leadership positions. Only 43.3% of the coaches of women's teams are female (Acosta and Carpenter, 1988). In 1972 more than 90% of women's teams were coached by females (Acosta and Carpenter, 1988). A sample of what has happened in the top six participation sports for women at the college level is reflected in Table 1.

Table 1.
Percent of Women Coaching Women's Sports

Sport	1978	1988
Basketball	79.4%	58.5%
Cross Country	35.2%	19.5%
Softball	83.5%	67.2%
Tennis	72.9%	52.2%
Track and Field	52.0%	21.6%
Volleyball	86.6%	71.0%

(Acosta and Carpenter, 1988)

Employment discrimination in athletics has also taken on more subtle forms. When searching for coaches of women's teams, the administrator may only look at formal written applications. When looking for coaches of a men's team, the athletic director will solicit applicants

or hire good coaches away from other programs. Worse yet, it is not unusual, when checking on the credentials or references of female coaching candidates, to hear concerns that the applicant may have homosexual inclinations or references to her physical attractiveness as being more masculine than feminine. In contrast, the reference checker seldom hears anything about the personal lives or appearance of male applicants. It is not unusual for female candidates to be asked whether they are planning to have children, despite prohibitions against such queries. In practice, the double standard is obvious and difficult to confront. Homophobia is an equal opportunity employment issue that is a lot like communism; it's talked about behind the backs of applicants and almost impossible to combat. Likewise, descriptions of a candidate as a "feminist" are often used to imply that a job candidate is a "troublemaker."

The message is clear. Higher education officials must monitor carefully employment and program practices in intercollegiate athletics if women's sports are to grow into equal opportunity athletics programs, especially in merged administrative units.

Issues Related to the Redistribution of Financial Resources

On most college campuses, athletics administrators, like their academic counterparts, will offer significant resistance to cost-cutting requests. Sex discriminatory practices may be entrenched and the majority of existing funds already committed to men's programs. Efforts to cut fat in intercollegiate athletics may require the assignment of an objective member of an institution's central administration to analyze expenditures as they relate to competitive success. While this suggestion sounds simple, the fact of the matter is that intercollegiate athletics budgets are complicated and convoluted in nature (Atwell, Grimes, & Lopiano, 1980). These programs have, for the most part, not been developed by professional managers. Thus, cost/benefit analyses are almost non-existent. When 40,000 football programs are produced, removing several four-color pages may provide cost savings equivalent to a full athletics scholarship without any negative impact on the success of the football team.

If you look at an athletics budget, most of the expenditures on men's and women's athletics cannot be separated out on the basis of sex, especially in the area of support services such as athletic training, training tables, sports information, marketing and promotion, etc. Most of the perquisites given to coaches don't even appear (such as free cars, country club memberships, etc.).

Athletic program management and accounting practices must be carefully monitored. Administrators should demand a cost-benefit relationship for any proposed expense related to "keeping up with the Joneses" in order to maintain the competitive status of a program. Higher education must conservatively approach proposals to expand athletics facilities during the next five years. Commitments to large debt service in light of predictions of rising costs and continued athletics program deficits may be fiscally irresponsible. Many athletics programs are already carrying debt service commitments which are disproportionate to their total budgets. While major investments in the people who produce quality athletic programs (coaches) need to be maintained, the productivity of clerical and other support personnnel involved in large ticket offices, concessions, and game management operations should be carefully examined. Transportation and travel arrangements should be evaluated for cost effective practices. The number of days teams are spending on the road related to the number of days of competition should be examined and the entire travel package for all sports team should be put out on bid to a travel agent.

Developing Women's Sports as Revenue-Producers. There has been considerable debate as to whether women's athletics will ever be able to pay for itself. The real point is whether institutions are making every effort to insure that men's and women's sports are doing all they can

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to produce any revenues which can contribute to defraying program expense. There are Division I women's basketball programs which produce gate receipts in excess of $200,000 annually. Yet, many institutions have made no commitment to developing quality women's programs which can contribute to the income column of intercollegiate athletics. Developing a revenue-producing women's basketball program (or any sport program) requires a major investment in those areas essential to the development of a quality program (e.g., head coach salary, scholarships, team travel and recruiting) as well as a commitment to promotions and marketing support and a realization that product development doesn't happen overnight. Redistribution of revenues can also mean making investments to insure revenue production.

For many athletics programs, the combination of student fees, men's football and basketball gate receipts and television income combined with modest, unsophisticated fundraising efforts produced revenues adequate to support men's only athletics programs. The financial needs created by women's programs have created a new revenue dimension. Institutions must now consider investing in professional fund-raising and other promotions expertise in order to maximize the revenue production of athletics programs.

Can the Problems of Lack of Academic Integrity, Sex and Race Discrimination in Employment and Inequitable Participation Opportunities Be Solved Without Federal Intervention?

In my professional opinion, the problems of lack of academic integrity, sex and race discrimination in employment and inequitable participation opportunities cannot be solved without federal intervention. If it were not for the threat of Title IX, participation opportunities for women in sport have doubled at the college level and increased six-fold at the high school level -- despite the fact that there still a long way to go to achieve equity. If it were not for the threat and maybe the reality of the "Student-Athlete Right To Know Act" (Towns and McMillen, 1989), college presidents and boards of trustees would continue to turn their backs on the problem of academic integrity.

As sad as it seems, the fact of the matter is that college presidents and athletics directors are being held hostage by winning coaches, the alumni and members of university governing boards that embrace these many times hollow heros (and I exclude the likes of Joe Paterno, John Thompson, Mike Krzyzewski and others like them who win and demonstrated high graduation and retention rates). If presidents and athletics directors attempt to put pressure on winning coaches, their jobs are in jeopardy. The average tenure of Division I football and basketball coaches is higher than the tenure of their college presidents.Only outside forces with the power to demand compliance will be effective in confronting these critical ethical issues. The NCAA has done little even though it is in a position to control intercollegiate athletics. The NCAA's failure to act has been a function of: (1) the fact that the votes of faculty representatives, athletics directors and college presidents reflect these people's fears for their jobs and the power of winning football and basketball coaches and (2) a lack of vision of what this organization can do on the part of its leaders. I'm confident that this situation will improve somewhat with the hiring of Dick Schultz as the new director of the NCAA.

I have never forgotten the words of a former professor of mine in a class on financing higher education. The professor said, "College presidents are the most responsive when they are faced with bad press or a lawsuit. Absent either, don't bet on the CEO taking a controversial action." The incessant criticism by the media has been both healthy and effective. The pressure brought to bear by Congressional hearings and proposed legislation will be similarly effective. Congress and the press have given intercollegiate athletics the past 83 years to clean up its act." Most of the same

problems which existed at the inception of the NCAA in 1906 are still with us today. In my professional opinion, your interest and actions are necessary and should be applauded.

Thank you for this opportunity to present my views.

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Mr. PERKINS. At this time I would like to recognize Sister Mary Alan, Athletic Director, St. Anthony's High School in Jersey City, New Jersey. Sister?

STATEMENT OF SISTER MARY ALAN, ATHLETIC DIRECTOR, ST. ANTHONY'S HIGH SCHOOL, JERSEY CITY, NEW JERSEY

Sister MARY ALAN. Thank you. I think in order for you to understand why I am even here today, it is important for you to know a little bit about the school I represent and its student body.

St. Anthony High School is a real inner city school. It is far different from the image of catholic school which many of you may have.

Our school is small, only about 315 students. It is coed, fifty-three percent male and forty-seven percent female, only fifty-five percent catholic and racially mixed. Fifty-one percent of our students are black, twenty-eight percent white, seventeen percent hispanic and four percent asian.

While we occupy a small, old building which does not have a gym, we are able to boast of a very successful athletic program, a program that has produced baseball players for the major league draft and a program that has produced this year's number one basketball team in the entire country. Our basketball players have consistently been recruited by major colleges across this country.

Through the past eight years as Athletic Director, I have listened to countless recruiting pitches. In the beginning I was quite overwhelmed by the presentations and quite confused. Eight years ago I was that senior. I was experiencing for the first time what a senior goes through as he is being recruited. Even though I was an educator who was much more prepared to sort out what college coaches were presenting, I was confused. They all sounded good.

Together with our basketball coach, Bob Hurley, I have been able to counsel our athletes through the years as to what kind of questions they should ask, what their concerns about college should be.

The coach who has been at the head of our basketball program for seventeen years has such a wealth of knowledge about the basketball world that he literally filters through the colleges that seek our athletes, so that in the end our high school athletes ultimately deal only with what we consider to be solid educational college athletic programs.

The reason why action from Congress such as legislation like the Student Athletes Right to Know bill is important is that there are countless young high school student athletes in this country who do not have these benefits. Many of them are lost in big schools. Many are coming from programs that do not have the expertise and experience of a Bob Hurley.

Many of these young people have no idea what to look for in a college. These young people have rights that Congress must take care to protect.

Especially in inner city schools and particularly among minority students, there are often no adults in the family who have graduated from or who have even attended college.

The student athlete in this situation really needs help in selecting a college. A measure of this help can come from a law that demands that students be told the graduation rate of athletes in his or her particular sport.

In this way, even if the senior being recruited does not ask the right questions, before he signs his letter of intent he is faced with the statistic which should alert him to the success or failure of a particular institution with regard to the education of its athletes.

Furthermore, as a secondary school educator, it quite frankly annoys me that the major publicized efforts of the NCAA to clean up its educational act have so far been all stress—a lot of the stress has been placed on the entrance requirements for students.

Inner city students especially have many educational problems. They enter high school with grades far below grade level. Very often through no fault of the students, but through the fault of our educational system, tremendous efforts have to go into just getting these students to be able to make up for lost time.

Sometimes just bringing them to the level where they can produce a C average in college prep courses is a four-year project.

A simple demand such as the one that colleges be candid about graduation rate of athletes is a step in the right direction. This puts responsibility on the institutions that have the money and the staff to provide the help.

In conclusion, as an educator looking at the issue of education in athletics from the perspective of the high school student, what I have said has largely been in reference to the recruiting end, because that is where our kids are affected.

The NCAA has lengthy rules about recruiting processes—when and where and how many times college coaches can speak to students. It is high time we make some rules about what they say to students.

For seventeen-year-olds to hear that our athletes have a higher rate of graduation than the regular students is very different from a seventeen-year-old to hear that in our school fifteen percent of the basketball players graduate.

Thank you, and I will be happy to answer questions.

[The prepared statement of Sister Mary Alan follows:]

St. Anthony High School
175 EIGHTH STREET
JERSEY CITY, NEW JERSEY 07302

Good morning! My name is Sister Mary Alan Barszczewski. I am the Athletic Director of St. Anthony High School in Jersey City.

In order for you to understand why I am here today I believe it is important for you to know a little bit about my school and its students. St. Anthony High School is a real inner-city school, far different from the image of Catholic school which many of you may have. Our school is small (about 315 students), coed (53% male, 47% female), only 55% Catholic, racially mixed (51% Black, 28% White, 17% Hispanic, 4% Asian).

While occupying a small, old building which does not even have a gym we are able to boast of a very successful athletic program - a program that has produced baseball players for the Major League Draft and a program that has produced this year's No. 1 basketball team in the nation.

Our basketball players have consistently been recruited by major colleges across the country. Through the past eight years I have listened to countless recruiting pitches. In the beginning, I was quite confused and overwhelmed by all the presentations. Eight years ago, I experienced the feelings that the high school senior must go through, being exposed to all the recruiting for the first time. Even though I was an educator, much more prepared to "sort out" what college coaches were presenting, I still felt confused. They all sounded so good!

Together with our basketball coach, Bob Hurley, I have been able to counsel our young athletes as to what kind of questions they should ask, what their concerns should be. The coach, who has been at the head of our basketball program for seventeen years, has such a wealth of knowledge about the basketball world that he filters through the colleges seeking our athletes, so that they ultimately deal with what we consider to be solid college programs.

The reason why the Student-Athletes Right-To-Know-Bill is so important is that there are countless high school student-athletes in this country who do not have the benefits that our situation presents. Many are lost in big schools; many are coming from programs that are not blessed with the expertise and experience of a Bob Hurley; many have no idea of what to look for in a college.

Especially in inner-city schools, and particularly among minority students, there are often no adults in the family who have graduated from or even attended college. The student-athlete in this situation really needs help in selecting a school. A measure of this help can come from a law demanding that the student be told the graduation rate of athletes in his or her particular sport. In this way, even if the senior being recruited doesn't ask the right questions, before he signs his letter of intent he is faced with a statistic which should alert him to the success or failure of a particular college with regard to the education of its athletes.

Furthermore, as a secondary school educator, it quite frankly annoys me that the efforts of the NCAA to assure that colleges educate their athletes have so far put all the burdens on the high schools. Inner-city schools especially are dealing with many students who come into high school far below grade level, very often through no fault of the students themselves. Tremendous efforts go into trying to help these young people be able to "make up" for lost time. Sometimes just bringing them to the level where they can produce a C average in college prep courses is a four-year project.

Demanding that colleges be candid about the graduation rate of athletes finally is a step in the right direction. This will put some responsibility for education on the shoulders of the institutions that have the money and staff to provide all the educational help their athletes need.

In conclusion, it seems to me that the fact that a law such as the Student-Athletes' Right-To-Know-Bill is needed, speaks very clearly about why it should be passed. Colleges who have done their job educationally, and there are many of them, have no need of this law - they already boast of their graduation rates. This statistic is, for them, a good recruiting tool. The law is needed to ensure that those schools who presently do not want to let people know of their failure to graduate athletes be motivated to begin seriously educating the athletes who attend their institutions.

Mr. PERKINS. Thank you very much, Sister.

The chair recognizes the Senator from New Jersey. Senator Bradley has arrived and I believe he has some testimony for us at this time.

STATEMENT OF SENATOR BILL BRADLEY, A MEMBER OF CONGRESS FROM THE STATE OF NEW JERSEY

Senator BRADLEY. Thank you very much, Mr. Chairman. It is always a pleasure to follow Sister Mary Alan. I always follow the number one high school team in the country, which is St. Anthony's.

I really appreciate the chance to come before you and I salute you for holding these hearings on the relationship between athletics and higher education and specifically permitting me to testify today on the Student Athlete Right to Know Act which I introduced in the Senate.

I understand that next week the House sponsors of the bill, Congressman Towns and Congressman McMillen, will testify before the committee.

What is the problem? The problem is athletes who get scholarships but who do not graduate. What is the dimension of the problem? Nobody knows. The information is not available. Most importantly, the information is not available to the families of the high school students who are trying to make an informed decision about where to go to college.

A relevant and, I would say, most essential factor is, what have other students who have gotten athletic scholarships done at that particular college? Have they graduated? Have they used up their eligibility and been dismissed? What is the history?

Now, in the absence of good data, the "USA Today" survey tells us some things. It is not complete.

The Division I basketball players, for example, graduated at a rate of only twenty-seven percent according to "USA Today." We do not know, because we do not have the facts. At one Division I institution graduation rate was a pathetic seven percent of the students on basketball scholarships during an entire decade. Seven percent of all students on basketball scholarships during a decade graduated. That is absolutely reprehensible.

Of course, that is a "USA Today" survey. You and I both know that that might not be accurate. The only information available is information that the NCAA has.

That is really the purpose behind the Student Athlete Right to Know Act. It does a couple of things. It requires colleges and universities receiving Federal financial assistance to report annually to the Secretary of Education the graduation rates, including graduation rates of student athletes broken down by sport, race, sex. The Act also calls for reporting the proportion of students who earn a degree within five years reported by sport, race and sex, and it requires the same kind of reporting for the student population at large.

The information is then made available to high school student athletes, to their families, to high school guidance counselors and principals to aid the student athletes as they choose the schools

they will attend. The students then have to indicate on their letters of intent that they have reviewed the information and discussed it with either their high school guidance counselor or their principal.

Now, Mr. Chairman, there have been a number of objections to this bill, absolutely flabbergasting me that something that I thought was truth and motherhood would be objected to as strenuously as it has been.

Let me try to deal with some of the objections. Some in the higher education community say that they support the goal of the legislation but that reporting of graduation rates should be left to the schools, not legislated by the Federal Government. They argue that the NCAA should decide how to handle graduation rates.

Well, I agree with that, that the NCAA should require this themselves, but after many years of neglect of this problem I met with a number of NCAA representatives to talk about releasing the data. No data has been released. Now that this legislation is pending for a second time, the NCAA is talking about releasing graduation rate data. Talk, but again no action, has occurred. The proposal of a plan at the 1990 meeting is, frankly, too little too late.

I have yet to see a concrete proposal from the NCAA for full disclosure of reliable, informative graduation rate information to prospective student athletes. I would suggest that, even if a proposal is offered in 1990 we have no guarantee that the membership will vote to adopt it.

Each year, while the NCAA is talking, many student athletes graduate from high school and make decisions about which institution to attend with little or no information on the likelihood of their completing a college degree at their chosen institution.

Now, importantly, secondary school principals have endorsed the Student Athlete Right to Know Act, as have the National Association of College Admissions Counselors. Why? Because both are interested in insuring that future student athletes make this important decision on the basis of sufficient information.

Now, other opponents of the legislation argue that it is too hard for colleges to collect the data required by this bill. You know, I find that to be a little lame. I recognize that it is important for the data required by this bill to be both meaningful to students and reasonably accessible to institutions. The General Accounting Office has completed an investigation for this subcommittee on this issue and has found that the information that we are seeking could, in fact, be compiled and reported.

One final criticism that has been leveled at this bill is that it is too complicated for student athletes and their families to understand and that they do not really care about education anyway.

Mr. Chairman, I frankly find that offensive hogwash.

I believe that it is our responsibility and the responsibility of educators to be sure that meaningful information is available. Guidance counselors, admissions counselors, high school principals and others can help student athletes and their families understand the information.

This legislation, I think, is just the first step to showing student athletes, families and educators and the athletic community that

we believe that education of student athletes is important and that we expect them to take it seriously, too.

I thank you for the chance to testify and for your consideration of this issue. I hope that you have a chance to hear from some of the families who have had to grope with this decision in the absence of any information about which school has really made the effort to give their children an education and which schools have simply used their children for their own economic benefit.

[The prepared statement of Senator Bill Bradley follows:]

BILL BRADLEY
NEW JERSEY

United States Senate
WASHINGTON, DC 20510

TESTIMONY BY SENATOR BILL BRADLEY
ON THE STUDENT ATHLETE RIGHT TO KNOW ACT

MAY 18, 1989

Good morning, Mr. Chairman. I thank you and the House Subcommittee on Postsecondary Education for holding hearings on the relationship of athletics to higher education, and specifically for permitting me to testify at this hearing. I would like to comment on the Student Athlete Right to Know Act, which I introduced in the Senate. It is my understanding that the House sponsors of this legislation, Mr. Towns and Mr. McMillen, will testify before this committee next week.

Mr. Chairman, in the course of these hearings, you will hear about both the highlights and pitfalls of participating in intercollegiate athletics. Many high school and college athletes dream of playing for a Division I team and, perhaps, of a professional sports career. Yet only one out of every hundred high school athletes will receive a scholarship to play at a Division I college. Most of those lucky few can expect a pressure-packed environment where academics and athletics collide in a world with heavy demands and little time. And even fewer of those who do play in this high pressure league will ever make it to the pros.

Single minded devotion to athletics among our nation's schools and colleges can lead to exploitation and abuse of the student-athlete. The result can be a sad story. Too frequently the student athlete, failing his courses or not carrying a full course load, exhasts his eligibility, loses an athletic scholarship, and drops out of school -- with no education, no training, and only a few memories to comfort him. A USA Today survey found that Division I basketball players, for example, graduate at a rate of only 27%. At one Division I institution, the graduation rate was a pathetic 7% for students on basketball scholarships during the decade from 1972-1983.

It should not end this way. With the proper balance between academics and athletics, sports can provide the means to an education that might otherwise be unattainable. Many athletes have applied the discipline of the arena to the classroom and have gone on to useful and satisfying careers. We need more success stories built on good habits and opportunities seized.

That is why I introduced the Student Athlete Right to Know Act in the Senate. This is a consumer information bill for student-athletes and their families. Student athletes about to enter college should be consumers of education and participants in sports, if our priorities are in order. As such, they are entitled to the relevant and basic consumer information that is an essential element of an informed choice. The choice of which college or university to attend is likely to be one of the most important decisions of a young person's life. A potential student athlete and his or her family are entitled to a direct and valid answer to the question, "If I enter your college or university as a freshman on an athletic scholarship in my sport, what are the chances that I will graduate within a year of those in my entering class?"

The Student Athlete Right to Know Act requires colleges and universities receiving Federal financial assistance to report anually to the Secretary of Education graduation rates, including the graduation rates of student-athletes broken down by sport, race, and sex. The Act also calls for reporting the proportion of students who earn a degree within five years, reported by sport, race, and sex. The information is then to be made available to high school student-athletes, their families, and high school guidance counselors and principals, to aid the student athletes as they choose the schools they will attend. The students will indicate on their Letters of Intent that they have reviewed the information and discussed it with either their high school guidance counselor or principal.

Mr. Chairman, several objections have been raised by opponents of this legislation.

Some in the higher education community say that they support the goal of the legislation but that reporting of graduation rates should be left to the schools, not legislated by the federal government. They argue that the NCAA should decide how to handle graduation rates. I agree that the NCAA should require this themselves, which is why after many years of neglect of this problem, I met with representatives of the NCAA to talk to them about releasing to the public the data they were already collecting. No action was taken by the NCAA. Now that legislation is pending for the second time, the NCAA is talking about releasing graduation rate data. Talk, but again, no action has occurred. The proposal to propose a plan at the 1990 meeting is too little too late. I have yet to see a concrete proposal from the NCAA for full disclosure of reliable, informative graduation rate information to prospective student-athletes. Even if a proposal is offered in 1990, we have no guarantee that the membership will vote to adopt it.

Each year, while the NCAA is talking, many student athletes graduate from high school and make decisions about

which institution to attend with little or no information on the likelihood of their completing a college degree at their chosen institution. Secondary school principals have endorsed the Student Athlete Right to Know Act, as has the National Association of College Admissions Counselors, because both are interested in ensuring that future student athletes make this important decision on the basis of sufficient information.

Some opponents of my legislation argue that it is too hard for colleges to collect the data required by this bill. Mr. Chairman, we are not in the dark ages. Most, if not all colleges and universities have computers. I recognize that it is important for the data required by this bill to be both meaningful to the students and reasonably accessible by the institutions. The General Accounting Office has completed an investigation for this subcommittee on this issue and has found that the information we are seeking could, in fact, be compiled and reported. I am aware that institutions of higher education are called upon to collect graduation rates and other institutional data for many different constituencies, but I believe that potential students, particularly students who will devote much time to producing revenues for these institutions, should be specially entitled to this information.

A final criticism has been that the information is too complicated for student athletes and their families to understand, and that they don't care about education anyway. Frankly, I think that's hogwash. Mr. Chairman, I believe that it is our responsibility and the responsibility of educators to be sure that meaningful information, is available. Guidance counselors, admissions counselors, high school principals and others can help student athletes and their families understand the information. This legislation is a first step to showing student athletes, families, educators, and the athletic community that we believe that the education of student athletes is important, and that we expect them to take it seriously too.

In fact, a large study commissioned by the NCAA provides reason to believe that many student athletes already believe that earning a college degree is the primary reason for being in college. The most recent installment of a study conducted by the American Institutes for Research on the experiences of intercollegiate athletes at NCAA Division I schools was released in March of this year. It reported that the overwhelming majority of white as well as black football and basketball players at predominantly white schools said that earning a college degree was the personal goal of greatest importance.

Mr. Chairman, education is the passport to a productive and rewarding life in our society. The challenge of a college experience should not be "making the team", but preparing to be a good citizen, friend, and family member.

Our student athletes must participate in sports as they pursue the primary goal of an education for life, rather than trying to obtain an education in the process of working in revenue-producing sports.

The Student Athlete Right to Know Act is one small step forward in straightening out these priorities. I seek to strengthen the role of education rather than weakening the role of athletics. I hope that an informed choice will lead to a real education and a college degree.

This legislation is the right thing to do, and it is right for Congress to do it now.

Mr. PERKINS. Senator, I thank you for your testimony. One question comes to mind immediately.

Recently I noticed that there were awards given out to certain schools and institutions. The University of Kentucky, I think, won this year's award for having over ninety percent graduation rate among its football team. They were apparently listing those with the highest graduation rates.

That would seem to indicate to me that there is already some sort of existing data that is being compiled. Is this being done on a voluntary basis or is this being done——

Senator BRADLEY. The NCAA tells us that they do have the data but that their by-laws deny them the right to reveal the data publicly. That was the excuse that was given by the NCAA when I sought to get them to do it voluntarily.

That was really the impetus behind the legislation.

Mr. PERKINS. So it is only the good schools that the information is going to be released on, is that the present practice?

Senator BRADLEY. Frankly, I do not know under whose auspices the information is released presently. My guess is that, you know, if you made all A's on your report card you would want to tell people you made all A's.

We are not really concerned about the schools that do a great job. We would like to complement them. We are concerned about the schools that do not even attempt to do the job of educating athletes who have—students who have athletic scholarships, because——

Mr. PERKINS. I understand that, but what you are trying to say is that the information is there and it is available at this time. We just do not have access to it, is that correct?

Senator BRADLEY. That is my understanding.

Mr. PERKINS. All right. Senator, I have not seen this before today, but where is that chart that you had, the GAO charts, that indicated the graduation rates of athletes in the various types of schools versus the non-athletes? Are you familiar with the study?

Senator BRADLEY. I am not familiar with the exact chart.

Mr. PERKINS. No? Okay. Well, this is the first time I had the opportunity to see it today.

Apparently—this is down in front there—there was a higher graduation rate——

Senator BRADLEY. I see.

Mr. PERKINS. [continuing] amongst some of the athletes, actually, than there were among some non-athletes.

Do you have any conjecture about what we see on these charts?

Senator BRADLEY. In the United States the NCAA should be running to the front to say, we want to reveal all this information, because it will demonstrate that universities in this country are educating student athletes and that their graduation rates are superior to the graduation rates of the population of students as a whole.

To me—I do not know the basis of these figures—but if these figures are based on reality, it is another incentive for the NCAA to come forward with the information.

Mr. PERKINS. Dr. Lopiano, you indicated earlier that you thought that this money that was being produced was actually taking away

certain amounts of money from other students involved, I guess, in the university as a whole.

Could you comment some about that assertion?

Dr. LOPIANO. The vast majority of intercollegiate athletic programs operate in the red. Even in the most revenue-producing of the Division I and I-AA programs you are looking at almost fifty percent of those institutions running deficit programs to the average tune of $421 thousand a year.

Deficit funding has to come from somewhere. It is a misnomer to believe that men's sports are providing for equal opportunity for women, for instance. Only in Division I are any institutions using men's programs' revenues to partially subsidize women's athletics.

For instance, in Division I-A programs with football, men's programs are providing forty-two percent of the women's budget. The institution through other discretionary funds is providing for equal opportunity for another forty-two percent, with the difference, sixteen percent, being provided by women athletes.

What you are seeing is that the cost of equal opportunity, the cost of deficit funding, is coming out of other institutional monies. That may be student fees, it may be discretionary presidential fees. It comes from a whole variety of sources, which, if you consider that institutions are really united fund efforts, it comes from some pot. It is taking away from another mouth.

Mr. PERKINS. Do any of the panelists believe that there is, in fact, a contractual relationship that the university enters into with the individual athlete when they are going to come and generate—and certainly in the large Division I-A schools—a certain large amount of revenue for the institution?

Is there any correlating, I suppose, obligation on the part of that institution to give that student a special type of educational advantage, or should they in fact be treated as any other student?

Dr. LOPIANO. Well, there had certainly better be an ethical one. If you walk into the home of a young person and recruit them with the promise of an educational experience, the promise of a degree, the promise of job connections and a career five or six years down the line, you had better be prepared to fulfill that. That, frankly, is not happening.

There is no question in my mind that, if athletics creates a dysfunctional effect on student athletes, that the athletic department has an obligation to off-set those dysfunctional effects. That is why you see the academic support programs. That is why you see the kind of personal support systems that have developed, and those are good.

I think those resources do take away from other students, but they also provide models that are being used in many institutions to help minority students, to help people who are suffering similar problems in higher education.

Mr. PERKINS. Senator?

Senator BRADLEY. My particular view is that universities are constituted to provide education for all who attend. Education is a two-way process. The student has got to work. The university has got to make the effort to educate.

Sports, even intercollegiate sports at the highest levels, should augment and enhance the chance of that student to obtain an edu-

cation. It should not reduce or exclude the chance of that student achieving an education.

It is somewhat complicated by athletic scholarships. When athletic scholarships are given the presumption is that the student is going to compete in the name of the university and there is an obligation, a willing obligation. It is joyful in most cases. It is fulfilling in most cases. But it should not, in my view, detract from the central purpose of going to the institution in the first place, which is to get an education.

If you are a family trying to decide among a multiplicity of offers—if I may just kind of make a personal reference, as a high school senior I had to deal with seventy-five colleges, all saying come, scholarship, blah blah.

Well, as a family you are trying to think through, well, which one am I going to go to? At seventeen or eighteen years old—in many cases the families, unless they are a real athletic family, never having been through it with another child—it is a bewildering process.

The more information you have, the better informed your judgment will be. I really thought when Congressman Towns asked me to introduce this bill in the Senate that this was going to be nothing but motherhood and apple pie and it is self-evident to everyone and why shouldn't this be the case.

I have been, as I told you, absolutely flabbergasted by the opposition. I mean, I am on the Finance Committee in the Senate, where we have tax legislation that is slightly more complicated than this issue, and where the reporting requirements of various corporations, nonprofit institutions, et cetera, is slightly more complicated than monitoring the graduation rates of student athletes.

So to me the need for this is self-evident. The opposition to it is bewildering. I think, frankly, that its inevitability is more or less certain. The only question is whether we want to do this—have the NCAA do it voluntarily, recognize that the handwriting is on the wall, or whether they intend to fight it and create a whole series of major problems, not the least of which may be some bad publicity for them.

Mr. PERKINS. Sister?

Sister MARY ALAN. In over eight years I have been through many, many recruiting sessions and I think that the pitch that the colleges give tells you that they recognize that there is a definite contract, because, as I said, we sift through which colleges our students go to visit.

So luckily most of our student athletes are visiting and being recruited by what we consider very reputable institutions.

The keynote of their recruiting pitches is never how many minutes you are going to be guaranteed playing. It is never whether you are going to be in an athletic dorm.

The keynote of the pitch that they make to parents and to us as educators is always what they offer as an academic institution, the majors they offer, the possibilities of future employment, the career possibilities. You know, they say the right things.

These institutions voluntarily tell us the graduation rates of the athletes in their programs, because they are proud of those rates.

We are concerned that there are many institutions that are not saying this, that are not telling rates.

I as a secondary school person involved in this—I really do not care if forty-eight percent of the total athletes are graduating or fifty-two percent versus forty-eight in the rest of the school, because that probably includes a lot of lacrosse players, tennis players, golfers that really are not involved in these money sports.

I think what we are talking about—I am more concerned about the thirty-eight percent in basketball as a national average. I think that is criminal.

Mr. PERKINS. I certainly agree with you, Sister. Now, in terms of your experience over the last eight years and following your former athletes who have matriculated on to a collegiate environment, what has been your experience in following those athletes with the promises that were given to those athletes as they were being recruited?

Sister MARY ALAN. In eight years I have only had, I think, two athletes that we were very disappointed with what happened in the follow-up. Since then, in both of those cases, that coach is no longer at that university.

The majority of our athletes—I think we have about a ninety-five percent graduation rate—have graduated from college. We have some very famous athletes. Some are in the pros—one is in the pros right now.

We have been very successful. We have been very pleased, but we have helped these kids make this decision based on this kind of knowledge.

I live in a city that has a very poor public school system. It is probably being taken over by the state right now. I watch every year the high school heroes and never hear from them again. Largely they go away. They are back in six months. They have dropped out in a year. It is the education problem. It is not their ability as basketball players or football players. It is what is happening educationally that is deterring them from receiving an education in the college.

We are very successful with our kids who go on to college. I think it is because we have demanded this kind of information that a lot of other people have not demanded.

Mr. PERKINS. Sister, what type of problems have you had in gaining access to information, reliable information, as to graduation rates about——

Sister MARY ALAN. Absolutely none——

Mr. PERKINS. Absolutely none.

Sister MARY ALAN. [continuing] because we have dealt with what we consider reputable programs. I think most of the colleges that have come to recruit from us are aware of our stand. One of the first things they present to us is what has happened.

In one instance where there was a change of coaches, and it was a very well-known basketball program, that was the question we shellacked them with right away, because we knew the graduation rate had not been up to par. They were honest about it, but I cannot tell you the countless mail I get from institutions that when I see the return address it just gets pitched in the garbage can. It does not even go to the student.

Mr. PERKINS. Sister, I noticed you talked earlier about some of the systemic problems that we have in trying to assist students as they go through the educational process and that, indeed, many are not able at the time of matriculating from high school to be able to meet the requirements of Proposition Forty-Eight, but they appear to be excellent athletes and have potential, if properly tutored, to indeed become college students and gain significantly from an education.

In what way do you think we should address students of this fashion? I asked the other two panelists to comment on this, as well.

Sister MARY ALAN. Well, I guess I side with the range of people that, personally, I am against Proposition Forty-Eight as a person in an inner city school with minority students. To use college SAT scores as a measure of ability to perform in college is criminal.

My experience with these students has been that almost every one of them who is coming into our school is coming in below grade level, and I am not saying one level. We have students entering school coming in on the fourth grade reading level.

Now, if we can get them in four years—and it is not easy, it is a lot of hard work, a lot of specialized programs—but if we can these students to be able to have a 2.0 in the core curriculum, that means they have worked in high school.

In my experience, prior to Proposition Forty-Eight, almost every major athlete that we sent to major colleges such as Notre Dame, Marquette, Villanova, LaSalle, did not go with 700 in SATs. Every one of them has graduated.

I think that the onus cannot be on a system that has allowed in grammar schools for kids not to be educated properly, especially in the inner city, to have their entire ability to perform and receive an education depend on a test that is largely culturally and racially biased, is really criminal.

If a student is performing in school in major, I wholeheartedly agree with core curriculum, that they should have to have a grade point average of a 2.0 on major subjects like English, science and math. I wholeheartedly agree with that, but if they can produce that, to deny them access to a college education because they cannot produce 700 on SAT is meaningless.

The universities have the staff and the money and they all brag about their tutors. These students, if they get endorsements from high school people who say, yes, we have taught this student and this student has the ability and will perform, then they should be allowed that ability.

You know, it just seems that the onus is put on schools that do not have the money or the ability to help the way the NCAA schools would have.

Mr. PERKINS. Senator, do you have anything to supplement your constituent's testimony there?

Senator BRADLEY. I think standards are important. I think that there probably also need to be exceptions to standards and standards have to be clear.

I think that standardized tests are one way of measuring performance. Accomplishment in the classroom is another way. I think you have to consider both.

Mr. PERKINS. Dr. Lopiano?

Dr. LOPIANO. I am personally of the opinion that Forty-Eight is a piece of bad legislation. The SAT score obviously is race and gender biased. I have seen student athletes—and in many cases black female student athletes—with 530, 550, 600 SATs graduate with respectable GPAs and bona fide degrees from a place like the University of Texas.

It is incredible that up until this year—and I think I am right in saying this, I would have to go back to my records—I do not think we have had a black female student athlete with an SAT above 900, and I am talking about youngsters with 800 and 900 SATs who are competing against students in an institution where the average SAT score is 1140, and who are competing well.

So I distrust the SAT. My experience is that commitment to getting a degree, commitment to hard work, really overcomes performance on standardized tests, that a GPA at the high school level is a much better indicator and research shows that the GPA at the high school level is a better indicator than any standardized test, and that what the NCAA needs to go to is a combination of the two.

Mr. PERKINS. Being very cognizant of the fact that Senator Bradley and Mr. Towns and Mr. McMillen have introduced a piece of legislation that we certainly have heard good testimony on today, are there any further areas that any of the panelists thing need redress in some particular manner that we could deal with at some time in the future?

Senator BRADLEY. Mr. Chairman, if you devoted all of your energy to the Student Athlete Right to Know Act and passed it overwhelmingly in the committee, I believe that the public interest would be served. Then you could come back the next year and look at a broader area of issues, having dealt with and solved one of the major problems of the intercollegiate system today. Modestly I say that.

[Laughter.]

Dr. LOPIANO. I would like to concur with Senator Bradley. I do not think he should be bewildered over the lack of support for the legislation.

I think you would be horrified to see the graduation rates at major public research universities of black male and female athletes in this country. I think it would be a very embarrassing situation for those schools, and I think that is where you are going to get a lot of the pressure not to proceed with this.

Sister MARY ALAN. My feeling is that if this legislation passes it is a message to the NCAA that the American public at large right now sees them as a giant institution protecting its own interests.

It seems that the perception that people have is that they are not really interested in those student athletes. They are interested in their winning programs and in their playoffs and in the people who watch the games on TV.

For a long time the NCAA has seemed to be a very insular institution that has been able to do whatever it chose to do. I think that it is important that a piece of legislationand it sends a message that they have a responsibility to the American public.

Mr. PERKINS. At this time, since I do not think there will be any further questions from up here, I would like to thank the panelists very much for taking time from their busy schedules.

Senator BRADLEY. Mr. Chairman, let me thank you also for accommodating my schedule. Frankly, it was an honor to be on the panel with Dr. Lopiano and Sister Mary Alan.

Mr. PERKINS. I would like to thank the panelists for coming and would like to state that we will hold a second hearing on this subject next Wednesday.

With that, this committee meeting is adjourned.

[Whereupon, at 12:05 p.m., the subcommittee was adjourned.]

THE ROLE OF ATHLETICS IN COLLEGE LIFE

WEDNESDAY MAY 24, 1989

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON POSTSECONDARY EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC.

The committee met, pursuant to notice, at 9:40 a.m., in Room 2175, Rayburn House Office Building, Hon. Pat Williams [Chairman] presiding.

Members present: Representatives Williams, Hayes, Perkins, Poshard, and Coleman.

Chairman WILLIAMS. Good morning. I am pleased to convene this second day of hearings on student athletics. Last week we began the discussion about the role of intercollegiate athletics in contemporary college life.

We learned the organizations that govern college athletics. We discussed the media's efforts in covering college sports. We heard from a high school athletic director about the recruiting of high school students.

We heard from a wide variety of people and received a lot of suggestions as to how we might improve the current intercollegiate athletic system. It's clear from our first day of hearings that while all agree that we need to maintain a balance between athletics and academics, there is a very wide variety of opinion about how we reach and maintain that balance.

This morning we will hear from another set of witnesses including a former student athlete, college presidents and several other individuals who currently work with students both in academics and athletics.

We look forward to hearing all your views and receiving your counsel. As I noted last week, this subcommittee has no set legislative agenda on this issue. We are here to listen to your comments and concerns and suggestions and to develop a better understanding of what is happening in college sports today.

Indeed, following these hearings, we may well decide to proceed towards certain legislative objectives, but we have none currently in mind. I look forward to hearing from the members of our three panels.

Will the first panel, Reverend Healy and Congressman McMillen, if he's arrived, and Congressman Towns who I see is here, will you please come to the table.

Mr. COLEMAN. Mr. Chairman, if I might at this time ask unanimous consent that Mr. Goodling's opening statement be inserted in the record.

[The prepared statement of Hon. William Goodling follows:]

OPENING STATEMENT BY

THE HONORABLE WILLIAM F. GOODLING

AT THE POSTSECONDARY SUBCOMMITTEE HEARING ON

THE ROLE OF ATHLETICS IN COLLEGE LIFE

MAY 24, 1989

MR. CHAIRMAN, the role of athletics at our colleges and universities has come under increasing scrutiny in the press and national media. Increasingly, the focus of attention is upon abuses in athletic programs as they are organized on our college campuses today. College athletics has become "big business," to the point that it threatens to undermine the ethic and academic integrity of some of our higher education institutions.

However, I think we, in Congress, need to be cautious about what the appropriate Federal role is in setting higher standards for the fair and decent treatment of student-athletes. Student-athletes should be just that: students first, and athletes second. Colleges do no favors for student-athletes who are not able to meet reasonable admissions standards, who receive a watered-down education, and who, all too often, leave the college, after exhausting eligibility, with no education and with few employable skills for the workplace.

In Pennsylvania, our Commonwealth's flag-ship institution, Penn State, has had a long history of successfully blending excellence in athletics with well-established excellence in academics. Joe Paterno, Penn State's football coach, is well known for setting the highest standards for his players:

standards for admissions to Penn State and standards for player-eligiblity once they are students, which are higher than those mandated by the NCAA. Joe Paterno insists that his players keep their priorities in order, and on numerous occasions has side-lined a player not only from a single game but from all practices and games until that player's grades have improved.

It is not surprising that Joe Paterno was the first college football coach to be named "Sportsman of the Year" by Sports Illustrated. His approach to college athletics is decent, commonsensical. "All we're trying to do is play a game," he has said, "... keep it as a game for kids having some fun, and ... use that as a means of developing character, discipline and appreciation of teamwork."

I think that statement just about says it all. I would like to welcome the witnesses who are gathered here, today, and I look forward to their testimony.

Chairman WILLIAMS. Mr. Coleman, let me recognize you, of course.

Mr. COLEMAN. Mr. Chairman, I do not have an opening statement. I look forward to hearing today's testimony. Unfortunately, I must apologize to some of the witnesses, as I have other responsibilities in another committee. Please be assured that I will review all of the information. So I thank all of the panels.

Chairman WILLIAMS. Congressman Towns, we appreciate your leadership on this issue. I understand we will soon be joined by our colleague Congressman McMillen. Why don't you proceed.

STATEMENTS OF THE HONORABLE ED TOWNS, 11TH DISTRICT OF NEW YORK; THE HONORABLE TOM MCMILLEN, 4TH DISTRICT OF MARYLAND; AND REVEREND TIMOTHY HEALY, PRESIDENT, GEORGETOWN UNIVERSITY, WASHINGTON, DC.

Mr. TOWNS. Thank you very much, Mr. Chairman, and members of the subcommittee. Thank you for scheduling a second day of hearings to examine potential solutions to the various problems facing intercollegiate athletics. I will certainly not dispute the fact that the NCAA and the NAIA have taken steps to improve admission standards; reduce drug abuse and eliminate recruiting violations. None of these changes, however, including Proposition 48 and 42, address the key concerns for a collegiate athlete and that is getting a college education.

Senator Bill Bradley posed it so well in his testimony last week: "If I enter your college or university as a freshman on an athletic scholarship in my sport, what are the chances that I will graduate within a year of those in my entering class?"

At this moment, potential student athletes have no way of knowing the answer to this question except in isolated instances. Mr. Chairman, it is this issue, the attainment of a college degree, which prompted me to develop the Student Athlete Right to Know Act and to ask the support of my colleagues, Tom McMillen and Senator Bill Bradley, in introducing this legislation which mandates the reporting of graduation rates for student athletes.

You might well ask why we have a concern about the graduation of student athletes when statistics indicate that they graduate in higher percentage than the non-student athlete. Could these statistics mean, for example, that resources are being diverted from the non-student athlete to student athletes?

No, that is not the case. First, everyone including the NCAA agrees that this educational achievement does not apply to the basketball and football players. Second, I believe that other explanations may account for the academic success of the student athlete in sports other than football and basketball.

It is possible that the same economic resources which enable a student to participate in sports like lacrosse, swimming, gymnastics and tennis are generally available for educational enrichment as well.

Thus, athletes in these non-revenue producing sports probably have strong or perhaps stronger academic preparation in comparison to the regular student. Finally, because they participate in non-revenue sports, they may be more highly motivated to succeed aca-

demically than the average student because they recognize that a pro career is not in the offing.

Regardless of the sport, revenue or non-revenue producing, I believe that the student athlete and his or her parents should know whether that student is likely to receive a degree if they accept an athletic scholarship to attend a particular institution.

The NCAA currently has a provision in its bylaws which prohibits the release of graduation rates for its member institutions. Our legislation would correct that problem and ensure that, rather than an aggregate report for graduation rates, the graduation rate would be a specific report by sport for each institution.

Some have argued that H.R. 1454 is Federal intrusion. I accept that criticism because I believe that the Federal Government has a responsibility to ensure that the thousands of athletes who bring campuses not thousands of dollars but millions of dollars in bowl receipts and basketball championships should receive a meaningful college degree.

Even if we assume that Proposition 48 has ensured that the student athlete will be academically prepared to enter the college environment, then we still have the issue of how they will exit that environment.

An additional issue which adds to the graduation problem is the weaker academic standards which are encouraged on our college campuses. Current NCAA regulations exemplify the problem faced by student athletes.

For example, freshman athletes can maintain their eligibility to play with a grade point average of 1.8 which further exacerbates the problem. For instance, in the NCAA rule governing Division II schools, students are allowed to carry a 1.6 grade point average in their first year and a 1.8 grade point average in their second year.

Mr. Farris also told us that NAIA student athletes aren't required to maintain a 2.0 grade point average until their third year in college. In addition, many Division I schools permit students to remain eligible with less than a "C" average.

How can a student receive a college degree if he or she doesn't have at least a "C" average? If a 2.0 minimum grade point average is required for entering freshman athletes, why isn't this academic standard required after the student is admitted to the university?

We are setting a double standard when we permit student athletes to maintain a grade point average that would place any other student on academic probation. In my view, if the NCAA was really committed to graduating its student athletes, it would have required a 2.0 grade point average for athletic participation rather than offering Proposition 42 which restricts access to college education rather than enhancing students' probability of receiving a degree.

Those institutions who have a real commitment to balancing athletics and education insist that student athletes maintain the same academic standards as their non-student athletes.

Unfortunately, Mr. Chairman and members of this subcommittee, not every institution appears to have this kind of dedication. So it is important that the government intervene and say in a loud and clear voice we must stop treating our young athletes like gladiators who are thrown aside once their skills are no longer useful.

To ensure that parents and student athletes are fully informed about an institution's commitment to provide a college education in exchange for the student's athletic skills, I believe that this legislation is necessary.

I would refer the subcommittee's attention to page 24 of the GAO report which indicates that the data required by H.R. 1454 could be compiled and reported if necessary. After two days of hearings on intercollegiate athletics, I am convinced now more than ever that the Student Athlete Right to Know Act is indeed necessary.

Mr. Chairman and members of the committee, I look forward to working with you to make it a reality. Thank you very much for the opportunity to testify before the committee.

[The prepared statement of Hon. Ed Towns follows:]

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MEMBER OF CONGRESS
11TH DISTRICT, NEW YORK

PUBLIC WORKS AND TRANSPORTATION
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AVIATION
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ADMINISTRATIVE ASSISTANT

TESTIMONY OF CONGRESSMAN ED TOWNS (D-NY)

ON

"H.R. 1454, THE STUDENT-ATHLETE RIGHT TO KNOW ACT"

BEFORE THE HOUSE EDUCATION AND LABOR

SUBCOMMITTEE ON POSTSECONDARY EDUCATION

MAY 24, 1989

MR. CHAIRMAN, I WANT TO AGAIN THANK YOU FOR SCHEDULING A SECOND DAY OF HEARINGS TO EXAMINE POTENTIAL SOLUTIONS TO THE VARIOUS PROBLEMS FACING INTERCOLLEGIATE ATHLETICS.

I WILL CERTAINLY NOT DISPUTE THE FACT THAT THE N.C.A.A. AND THE N.A.I.A. HAVE TAKEN STEPS TO IMPROVE ADMISSION STANDARDS, REDUCE DRUG ABUSE AND ELIMINATE RECRUITING VIOLATIONS AT THE NATION'S COLLEGES AND UNIVERSITIES. NONE OF THESE MEASURES, HOWEVER, INCLUDING PROPOSITIONS 48 AND 42, ADDRESS THE KEY CONCERN FOR THE COLLEGIATE ATHLETE, A COLLEGE EDUCATION. SENATOR BILL BRADLEY (D-NJ) POSED IT SO WELL IN HIS TESTIMONY, LAST WEEK: "IF I ENTER YOUR COLLEGE OR UNIVERSITY AS A FRESHMAN ON AN ATHLETIC SCHOLARSHIP IN MY SPORT, WHAT ARE THE CHANCES THAT I WILL GRADUATE WITHIN A YEAR OF THOSE IN MY ENTERING CLASS?" AT THIS MOMENT, POTENTIAL STUDENT-ATHLETES HAVE NO WAY OF KNOWING THE ANSWER TO THIS QUESTION EXCEPT IN ISOLATED INSTANCES.

MR. CHAIRMAN, IT IS THIS ISSUE, THE ATTAINMENT OF A COLLEGE DEGREE WHICH PROMPTED ME TO DEVELOP "THE STUDENT-ATHLETE RIGHT TO KNOW ACT" AND TO ASK THE SUPPORT OF MY COLLEAGUES, TOM MCMILLEN (D-MD) AND SENATOR BILL BRADLEY IN INTRODUCING THIS LEGISLATION

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WHICH MANDATES THE REPORTING OF GRADUATION RATES FOR STUDENT-ATHLETES.

YOU MIGHT WELL ASK WHY WE HAVE A CONCERN ABOUT THE GRADUATION OF STUDENT-ATHLETES WHEN STATISTICS INDICATE THAT THEY GRADUATE IN HIGHER PERCENTAGES, OVERALL THAN THE NON-STUDENT ATHLETE. COULD THESE STATISTICS MEAN, FOR EXAMPLE, THAT RESOURCES ARE BEING DIVERTED FROM THE NON-STUDENT-ATHLETE TO STUDENT-ATHLETES?

FIRST, EVERYONE INCLUDING THE N.C.A.A., AGREES THAT THIS EDUCATIONAL ACHIEVEMENT DOES NOT APPLY TO THE BASKETBALL AND FOOTBALL PLAYERS. SECOND, I BELIEVE THAT OTHER EXPLANATIONS MAY ACCOUNT FOR THE ACADEMIC SUCCESS OF THE STUDENT-ATHLETE IN SPORTS OTHER THAN FOOTBALL AND BASKETBALL. IT IS POSSIBLE THAT THE SAME ECONOMIC RESOURCES WHICH ENABLE A STUDENT TO PARTICIPATE IN SPORTS LIKE LA CROSSE, SWIMMING, GYMNASTICS AND TENNIS, ARE LIKELY TO BE AVAILABLE FOR EDUCATIONAL ENRICHMENT, AS WELL. THUS, ATHLETES IN THESE NON-REVENUE PRODUCING SPORTS PROBABLY HAVE EQUALLY STRONG OR PERHAPS STRONGER ACADEMIC PREPARATION IN

COMPARISON TO THE NON-STUDENT-ATHLETE. FINALLY, BECAUSE THEY PARTICIPATE IN A NON-REVENUE SPORT, THEY MAY BE MORE HIGHLY MOTIVATED TO SUCCEED ACADEMICALLY THAN THE AVERAGE STUDENT BECAUSE THEY RECOGNIZE THAT A PRO CAREER IS NOT IN THE OFFING.

REGARDLESS OF THE SPORT, REVENUE OR NON-REVENUE PRODUCING, I BELIEVE THAT THE STUDENT-ATHLETE AND HIS OR HER PARENTS SHOULD KNOW WHETHER THAT STUDENT IS LIKELY TO RECEIVE A DEGREE IF THEY ACCEPT AN ATHLETIC SCHOLARSHIP TO ATTEND A PARTICULAR INSTITUTION. THE N.C.A.A. CURRENTLY HAS A BY-LAW, [5.6(e)(7)], WHICH PROHIBITS THE RELEASE OF THE GRADUATION RATE FOR ITS MEMBER INSTITUTIONS. OUR LEGISLATION WOULD CORRECT THAT PROBLEM AND ENSURE THAT, RATHER THAN AN AGGREGATE REPORT FOR GRADUATION RATES, THE GRADUATION RATE WOULD BE A SPECIFIC REPORT BY SPORT AS FOR EACH INSTITUTION.

SOME HAVE ARGUED THAT H.R. 1454 IS FEDERAL INTRUSION. I ACCEPT THAT CRITICISM BECAUSE I BELIEVE THAT THE FEDERAL GOVERNMENT HAS A RESPONSIBILITY TO ENSURE THAT THE THOUSANDS OF ATHLETES WHO BRING THEIR CAMPUSES NOT THOUSANDS BUT MILLIONS OF

DOLLARS IN BOWL RECEIPTS AND BASKETBALL CHAMPIONSHIPS SHOULD RECEIVE A MEANINGFUL COLLEGE DEGREE.

EVEN IF WE ASSUME THAT PROPOSITION 48 HAS ENSURED THAT THE STUDENT-ATHLETE WILL BE ACADEMICALLY PREPARED TO ENTER THE COLLEGE ENVIRONMENT, THEN WE STILL HAVE THE ISSUE OF HOW THEY WILL EXIT THAT ENVIRONMENT. AN ADDITIONAL ISSUE WHICH ADDS TO THE GRADUATION PROBLEM IS THE WEAKER ACADEMIC STANDARDS WHICH ARE ENCOURAGED ON OUR COLLEGE CAMPUSES. CURRENT N.C.A.A. REGULATIONS EXEMPLIFY THE PROBLEM FACED BY STUDENT-ATHLETES. FRESHMAN ATHLETES MAINTAIN THEIR ELIGIBILITY TO PLAY WITH LOWER G.P.A.'S THAN WOULD BE REQUIRED FOR GRADUATION. CONSIDER FOR INSTANCE, THE N.C.A.A. RULES GOVERNING DIVISION II SCHOOLS. STUDENTS ARE ALLOWED TO CARRY A 1.6 G.P.A. IN THEIR FIRST YEAR AND A 1.8 G.P.A. IN THEIR SECOND YEAR. MR. FARRIS ALSO TOLD US THAT N.A.I.A. STUDENT-ATHLETES AREN'T REQUIRED TO MAINTAIN 2.0 G.P.A. UNTIL THEIR THIRD YEAR. IN ADDITION, MANY DIVISION I SCHOOLS PERMIT STUDENTS TO REMAIN ELIGIBLE WITH LESS THAN A "C" AVERAGE.

HOW CAN A STUDENT RECEIVE A COLLEGE DEGREE IF HE OR SHE DOESN'T HAVE AT LEAST A "C" AVERAGE? IF A 2.0 MINIMUM G.P.A. IS

REQUIRED FOR ENTERING FRESHMAN ATHLETES, WHY ISN'T THIS ACADEMIC STANDARD REQUIRED AFTER THE STUDENT IS ADMITTED TO THE UNIVERSITY? MOREOVER, AREN'T WE SETTING A DOUBLE STANDARD WHEN WE PERMIT STUDENT-ATHLETES TO MAINTAIN A G.P.A. THAT WOULD PLACE ANY OTHER STUDENT ON ACADEMIC PROBATION? IN MY VIEW, IF THE N.C.A.A. WAS REALLY COMMITTED TO GRADUATING ITS STUDENT-ATHLETES, IT WOULD HAVE REQUIRED A 2.0 G.P.A. FOR ATHLETIC PARTICIPATION RATHER THAN OFFERING PROPOSITION 42 WHICH RESTRICTS ACCESS TO A COLLEGE EDUCATION RATHER THAN ENHANCING STUDENTS' PROBABILITY OF RECEIVING A DEGREE.

THOSE INSTITUTIONS WHO HAVE A REAL COMMITMENT TO BALANCING ATHLETICS AND EDUCATION INSIST THAT STUDENT-ATHLETES MAINTAIN THE SAME ACADEMIC STANDARDS AS THEIR NON-STUDENT-ATHLETES. INSTITUTIONS WHO ARE DOING A GOOD JOB ARE WILLING TO TELL SISTER MARY ALAN AND OTHER HIGH SCHOOL COACHES, STUDENTS AND PARENTS WHAT THE GRADUATION RATES IS AT THEIR PARTICULAR CAMPUS. UNFORTUNATELY, NOT EVERY INSTITUTION APPEARS TO HAVE THIS KIND OF DEDICATION . MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, IT IS

HIGH TIME THAT WE STOPPED TREATING OUR YOUNG ATHLETES LIKE GLADIATORS WHO ARE THROWN ASIDE ONCE THEIR SKILLS ARE NO LONGER USEFUL. TO ENSURE THAT PARENTS AND STUDENT-ATHLETES ARE FULLY INFORMED ABOUT AN INSTITUTION'S COMMITMENT TO PROVIDE A COLLEGE EDUCATION IN EXCHANGE FOR THAT STUDENT'S ATHLETIC SKILLS, I BELIEVE THAT THIS LEGISLATION IS NECESSARY. I WOULD REFER THE SUBCOMMITTEE'S ATTENTION TO PAGE 24 OF THE G.A.O. WHICH INDICATED THAT THE DATA REQUIRED BY H.R. 1454 "COULD BE COMPILED AND REPORTED, IF NECESSARY". AFTER TWO DAYS OF HEARINGS ON INTERCOLLEGIATE ATHLETICS, I AM CONVINCED NOW MORE THAN EVER THAT "THE STUDENT-ATHLETE RIGHT TO KNOW ACT" IS INDEED NECESSARY.

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Chairman WILLIAMS. Thank you, Mr. Towns. We appreciate hearing from you this morning.

Congressman McMillen, we look forward to your testimony.

Mr. MCMILLEN. Thank you, Mr. Chairman, for the opportunity to testify on behalf of the Student Athlete Right to Know Act.

Mr. Chairman, earlier this month, we witnessed the return of the United States to planetary exploration with the launching of the Space Shuttle Atlantis with the probe Magellan. That, quite simply, is the competition of the future; not in the fields of grass with helmets and balls, but in the fields of science and math, with slide rules and supercomputers.

What we read in the headlines today is not accolades of young men and women achieving remarkable heights in academic endeavors, but abuses throughout our collegiate athletic system. Basically, the balance between athletics and academics has shifted in the wrong direction. I fear our young people are not headed for the stars.

Today our children, with not only our approval but our encouragement, are mortgaging their education to pursue the all but impossible dream of professional athletics. We have a responsibility to help these young people and those who follow to help guide them to the right decisions as athletes and students.

We cannot blame our youth for their obsession with athletic success. We often display the same distortion of priorities. In a recent Texas gubernatorial race, the incumbent's loss was due in part to his support for a pass-to-play standard for high school athletes.

A Kentucky school teacher was fired from her job and driven from town for giving a failing grade to the star quarterback. Everywhere we see parents and educators cheering for the ballplayer and only quietly smiling to the "A" student.

These are all signals to our young people and the world that America is more concerned about students' BRAWN power than it is their BRAIN power. These are some of the reasons why I welcomed and agreed to cosponsor with Congressman Ed Towns and Senator Bill Bradley, "The Student Athlete Right to Know Act."

Quite simply, the bill would require schools receiving Federal assistance to report on the graduation rates of their athletic scholarship recipients. It would also require a comparison of that graduation rate with the general student body.

I will not elaborate on the specifics of the bill since it was outlined by Senator Bradley last week. In many ways, this is a relatively innocuous consumer information bill designed to provide the students and parents with valuable information about the school they are considering.

It is similar to the airline industry which must report scheduling efficiency and the percentages of lost bags. Mr. Chairman, surely the education of our future generations is more important than a lost piece of luggage or a delayed flight.

Unfortunately, the data available shows that many are not getting this deserved education. At the request of this committee, the General Accounting Office compiled some statistics on the graduation rates of Division I schools in the NCAA.

I found some of the statistics alarming. In looking at the Division I basketball programs of 271 schools, nearly 40 percent of those schools could not graduate a quarter of the basketball team.

Two-thirds of the colleges did not see half the team graduate. These are institutions that operate multi-million dollar programs, financed by lucrative TV contracts. Somewhere along the way, the goal of education was lost.

The leadership of the NCAA should play a critical role if the current system is going to be changed. I recognize the problems are not new and that some efforts have been made. Action to data has been little more than shuffling the chairs on the deck of the Titanic.

If the NCAA does not take substantive action, public support for collegiate athletics will continue to erode, and the many positive aspects of the system will be completely blurred by its shortcomings.

Mr. Chairman, I hope the Student Athlete Right to Know Act will begin to move us back towards the primary goal of educating young people and to developing basic standards for student athletes.

I did not come here to indict college athletics. I'm a product of that system. It taught me many of the skills I utilize today; among them, teamwork, persistence, and hard work. Our young people must understand that athletics alone will not sustain a life.

Of the 12,000 young men who played NCAA basketball programs in the 1986-87 school year, only 161 of them were drafted into the NBA. Many did not last more than a couple of years. The dream is, in fact, the impossible dream for most.

As Senator Bradley said here last week, I did not expect any opposition to this bill. I shudder to think at what our colleges and universities are afraid we will learn if we have access to their graduation rates.

This information is vital to a young person's choice of school and should be available to the general public. Mr. Chairman, I urge the subcommittee to seriously consider this legislation. Thank you for this opportunity.

[The prepared statement of Hon. Tom McMillen follows:]

Opening Statement by
Representative Tom McMillen
Subcommittee on Postsecondary Education
May 24, 1989

Mr. Chairman, earlier this month, we witnessed the return of the United States to planetary exploration with the launching of the Space Shuttle Atlantis with the probe Magellan. That is the competition of the future. Not in the fields of grass with helmuts and balls, but in the fields of science and math, with slide rules and super computers.

But what we read in the headlines today is not accolades of young men and women achieving remarkable heights in academic endeavors, but abuses throughout our collegiate athletic system. Basically, the balance between athletics and academics has shifted in the wrong direction, and I fear our young people are not headed for the stars. Today our children, with not only our approval but our encouragement, are mortgaging their education to pursue the all but impossible dream of professional athletics. We have a responsibility to these young people and those who follow to help guide them to the right decisions as athletes and students.

We cannot blame our youth for their obsession with athletic success -- we often display the same distortion of priorities. In a recent Texas gubernatorial race, the incumbent's loss was due in part to his support for a pass-to-play standard for high school athletes. A Kentucky schoolteacher was fired from her job and driven from town for giving a failing grade to the star quarterback. Everywhere we see parents and educators cheering for the ball player, and only quietly smiling to the "A" student. These are all signals to our young people and the world that America is more concerned about students' BRAWN power, than it is their BRAIN power.

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But, in many ways, this is a relatively innocuous consumer-information bill, designed to provide the students and parents with valuable information about the school they are considering. It is similar to the air line industry, which must report scheduling efficiency and the percentages of lost bags. Mr. Chairman, surely the education of our future generations is more important than a lost piece of luggage or a delayed flight.

Unfortunately, the data available shows that many are not getting this deserved education. At the request of this committee, The General Accounting Office compiled some statistics on the graduation rates of Division I schools in the NCAA -- and I found some of the statistics alarming. In looking at the Division I basketball programs of 271 schools, nearly 40% of those schools could not graduate a quarter of the basketball team. And

two-thirds of the colleges did not see half the team graduate. These are institutions that operate multi-million dollar programs, financed by lucrative TV contracts. But some where along the way, the goal of education was lost.

The leadership of the NCAA should play a critical role if the current system is going to be changed. I recognize the problems are not new, and that some efforts have been made. But action to date have been little more than shuffling the chairs on the deck of the Titanic. If the NCAA does not take substantive action, public support for collegiate athletics will continue to erode, and the many positive aspects of the system will be completely blurred by its shortcomings.

Mr. Chairman, I hope the Student-Athlete Right to Know Act will begin to move us back towards the primary goal of educating young people, and to developing basic standards for student-athletes. I did not come here to indict collegiate athletics -- I am a product of that system and it taught me many of the skills I utilize today: among them, teamwork, persistence, and hard work. But our young people must understand that athletics alone will not sustain a life. Of the 12,000 young men who played in NCAA basketball programs in the 1986-87 school year, only 161 were drafted into the NBA, and many did not last more than a few years. The dream is, in fact, the impossible dream for most.

As Senator Bradley said here last week, I did not expect any opposition to this bill, and I shudder to think at what our colleges and universities are afraid we will learn if we have access to their graduation rates. But this information is vital to a young person's choice of school and should be available to the general public. Mr. Chairman, I urge the subcommittee to seriously consider this legislation. Thank you.

Chairman WILLIAMS. Thank you, Congressman. Our final witness on this panel is the president of Georgetown University, Father Timothy Healy. Father, it's nice to see you again. We appreciate you being here and look forward to your testimony.

Reverend HEALY. Mr. Chairman and members, I would like to say thank you first of all for being willing to hear a college president and indeed a departing one on this matter. I have been associated with Georgetown for 13 years.

Ever since 1983, I've been part of the group of college presidents working out of the American Council of Education who have tried to generate some reform legislation. I'm currently a member of the President's Commission of the NCAA.

I'd like to talk about the one sport in which Georgetown is most seriously involved which is basketball, but basketball is simply football writ smart/writ small as far as I can see on the intercollegiate scene.

There are three problems I would like to call to your attention. All three of them produce a certain amount of substantial foot dragging on the part of the NCAA which means on the part of the leadership of American colleges and universities.

Two items I think the Congress can pressure the NCAA into moving on. The third item, the one which both congressmen so eloquently addressed, may actually need legislation. As it looks now, it does.

The first major problem that our basketball program faces is the length of the season. Basketball season effectively begins one month after school starts and ends one month before school ends.

That means of the eight or nine months that one allows for a school year, a basketball player is free of basketball only two. This is absolute nonsense. It is perfectly ridiculous. It serves no purpose except to make money. It's time that the NCAA looked at it seriously.

What I would propose is that no basketball practice can begin before the 14th of November; that no game can be played before the 26th of December; that the total number of official games that a school can play be limited to 20; that one of those 20 be its conference championship, if there is such a conference championship; and that the NCAA shorten its tournament from three weeks to two weeks.

The nation has what is known as March madness. March madness is the whole NCAA tournament dragged out over as many weeks as are necessary to milk the maximum of TV profits from the entire process.

You have the total nonsense of a conference played on the West Coast where the final game is on a Monday night which effectively wrecks the first half of the following school week. The reason is that a Monday night audience is more available than a Sunday night audience. In this case, the TV tail is wagging the academic dog.

The second point I'd like to raise is the whole question of a freshman eligibility. All of the intricacy of Proposition 48 which is at least honorable, and Proposition 42 which is a roaring disgrace, would be eliminated if there were no eligible freshman.

The problem with freshman eligibility are so many that they are almost hard to catalogue. First of all, it puts for the incoming freshman student who, in many cases, gentlemen, is either 18 or in some cases 17 an accent on athletics disproportionate to what the college is trying to do with this academic turning.

Second, it yanks a freshman student out of his class. Third, it puts a very serious pressure on a very young man. Fourth, it involves far too much absence from campus. Fifth, if the freshman is subject to the distortion of press and TV hype, it gives him a totally inflated notion of where he belongs on the academic landscape.

The reason for not going back to the old system which we had 15 years ago where freshman were simply, by definition, not eligible for varsity competition is that the schools do not want to undergo the expense of hiring a freshman coach and running a freshman program.

I submit that that is something that the NCAA ought to move on. If the Congress could help it, it would be a good idea.

The final point I wanted to raise, and I have all this written out in testimony for the committee, is the question of public accountability. This is a national disgrace and has been for some 15 to 20 years.

If you look at the NBA and the NFL, roughly 20 percent of the contracted players in those sports have degrees. Eighty percent of those degrees are in education. As we know, at least one percent of them didn't involve the capacity either to read or write as came out in congressional testimony a few days ago.

There is absolutely no reason why colleges and universities cannot publish their graduation rates for all students, for all athletes and particularly for revenue producing athletes.

I think the first two or three days, the publication would be very embarrassing, but it is a national scandal. It is the use and abuse of kids to hold them for four years, use their athletic talent and then toss them away like a dirty towel.

The fact that 60 percent of these young people are African-American is also a matter of serious consideration. Thank you, Mr. Chairman.

[The prepared statement of Reverend Timothy Healy follows:]

NCAA TESTIMONY OF TIMOTHY S. HEALY, S.J.

HOUSE SUBCOMMITTEE ON POSTSECONDARY EDUCATION

May 24, 1989

I am happy to present testimony to the House Subcommittee on Postsecondary Education on the issue of academics and athletics. Having served some 40 years in academic administration and teaching, the last 13 years of which have been as president of a university with a high profile in intercollegiate athletics, there are a number of recommendations I wish to offer that address the concerns of the House Subcommittee. I have been involved in reform movements aimed at the NCAA since 1983 and have some idea of the difficulties you will face in trying to address the serious problems plaguing our intercollegiate athletic system. Georgetown's most intense involvement has been in Division I Men's Basketball, and it is in this regard that I will limit my comments. I wish to present recommendations in three areas: I. Length of Season; II. Freshmen Eligibility; III. Accountability.

I. Length of Season

At the present time, the NCAA Basketball season is five and one-half months long. The season begins in mid-October and ends the last weekend in March. For a young man participating in Division I Basketball, that leaves only the first month and the last month of the academic year free from the strenuous obligations of basketball. This makes it impossible for an undergraduate participating in basketball to have anything remotely resembling the traditional college experience.

I wish to recommend the following suggestions for a shortened basketball season:

(a) Practice should begin on November 14, one month later than it does at the present time.

(b) No team should be permitted to play more than 20 regular season games. Current regulations provide for 29 regular season games. Current NCAA regulations consider a conference tournament as a regular season game. We could continue this practice, but no schedule should permit more than 20 regular season games.

(c) No regular season game should occur prior to December 26 of any year.

(d) The NCAA tournament should be shortened from the current three weeks to two weeks. This would reduce the

intensity of what has become known as "March Madness." There are a number of ways this could be accomplished, all of which admittedly result in lost revenues to the NCAA and its member schools. There is, however, no educational purpose served by placing our students participating in NCAA Basketball under the kind of pressure the current structure imposes upon them.

Our goal should be to reduce the season by at least five weeks and to make all competition occur in the second semester. I believe a season structured in accordance with these recommendations will ensure far greater opportunities for our student-athletes to take advantage of their schools' academic programs.

II. Freshmen Eligibility

Under current NCAA regulations, college students can participate in Division I varsity sports during all four of their college years. I believe it is imperative that we make all freshmen ineligible for varsity competition. This action would ensure that students are given the opportunity to adjust to the rigors of the new academic and personal demands of college life. This could mean that we develop "freshmen-only" athletic programs similar to those that existed on college campuses through the 1960's. While this will result in some increased costs to our athletic programs, I think it will result in a far better academic experience for our students. The Ivy League has been running such programs for years and they can give us some indication of the cost involved.

III. Accountability

We must develop a means of holding colleges and universities accountable for the education of their scholarship athletes. At the present time there is no penalty placed on a school that fails to graduate its scholarship athletes, and as NBA and NFL statistics show, many do fail. I think the following three suggestions ought to be considered to address this failure of accountability:

(a) Every school must publish the graduation rate for all scholarship athletes.

(b) A school must be required to have a graduation rate in its athletic teams equivalent to the graduation rate for the entire school. Thus, if Georgetown University graduates 90 percent of its student body within five years, it must graduate 90 percent of its scholarship athletes within five years.

(c) A stronger measure which should be considered was recommended by Bob Knight, Head Basketball Coach at Indiana University, in an interview with Frank Deford in the January 26, 1981, issue of Sports Illustrated. Deford wrote:

> Now Knight is on an even broader crusade, trying to impose on others, by legislation, his devotion to academics. He would like the NCAA to pass a regulation that would deny a college some of its allotment of athletic scholarships if its players don't graduate within a year after their eligibility ends. That is, if a coach has five so-called student-athletes finishing up on the team in 1981 and only two graduate by 1982, then the coach can only replace the five with two new recruits. "With this, you're making the faculty a police department for the NCAA...Even if you can get a few professors to pimp for a coach, you can't buy a whole damn faculty..."

We need to develop a means of ensuring accountability on the part of our colleges and universities for the education of their scholarship athletes. Anything would be better than we have today.

I am happy to have the opportunity to submit these recommendations to the House Subcommittee on Postsecondary Education and wish you the very best in trying to address the serious problems of intercollegiate athletics.

Chairman WILLIAMS. Thank you. Mr. Coleman, I know you have another equally important committee hearing that you have to put some time in. Perhaps we should go to you now for any questions you might have.

Mr. COLEMAN. Thank you, Mr. Chairman. I want to thank the panel for their testimony. I would like to relate to you a comment that I made at last week's hearing. That was, we still can have great competition between athletic teams notwithstanding the fact that we don't have to have so-called big time athletics to do it in.

Division III schools, for example, now have very keen competition but do not intensify the competition, do not grant scholarships, for example, for athletic purposes. They conduct themselves in a wide range of athletic endeavors and still provide that opportunity for both the players and the alumni and those of us who like to watch.

I also suggested, and a number of people have pointed out in the past, that some people who participate in athletics use their abilities as a ticket to college. On the other hand, if a student qualifies for all the loans and grant programs that we provide, he doesn't have to be talented in order to get a ticket to college.

The Federal Government, in fact, can provide one for you. So I don't see athletics as an argument to allow reduced admissions requirements or any necessity for athletic scholarships for students who otherwise wouldn't be able to go to college. This is just not correct.

My question to all of you would be, do we need athletic scholarships? If we all took a step backward, downward, to deescalate the intensity of this, would that be something that would help solve the problem?

Congressman MCMILLEN. I will take a stab at it. I went to college on an athletic scholarship. I don't think intrinsically that is a problem. I think that a lot of suggestions that Father Healy offered as well as Congressman Towns on freshman eligibility and pass to play standards, reducing the season are the ways to mitigate this problem.

I don't have problems with athletic scholarships, per se, as long as there are stringent academic standards all the way through. I know that a lot of young people spend a lot of their lives developing those skills. I don't have a problem with an athletic scholarship, per se.

Congressman TOWNS. I don't have a problem with the athletic scholarships. I think the one thing that could be considered rather than moving away from it is that an athlete would have five years.

For instance, they would not play as a freshman and then would be eligible three of the next four years. I think that would make a lot more sense. When you talk about aid, there are still some loopholes and some problems wherein people do not qualify because of certain circumstances.

I think that to eliminate athletic scholarships would not be a solution to the problem, but I think that it can be modified in terms of what happens along with the other things that have been recommended.

I really feel that once universities are exposed, and the information is out there, I'm confident that a lot of them will do better. I

think that's the key. What are we going to do in terms of how we educate our children and how do we go about it to kind of build in support? That's the real issue.

Some schools do well with that now. Others do not. So what we're really talking about is addressing the situation in the areas where they do not do well. With financial aid, as you know, there are still some problems as to whether a person qualifies or what percent they receive and whether the family will be able to actually contribute in any way. There are real problems in that area. Sometimes the only choice these students have is an athletic scholarship.

Reverend HEALY. Mr. Coleman, there are two different kinds of school charges in the nation. It may be true that the Federal Government grants and loans can cover public university and college tuition, but it cannot cover the total of private college and university tuitions, particularly the selective colleges.

I agree with the two congressmen. I don't think the fault is in athletic scholarships, although I would be more comfortable if there were adequate legislation to make sure they were given only up to the need of the student.

The problem lies in the way the matter is used. I think for a lot of very poor kids, an athletic scholarship has been a way into college. That's one of the reasons why I fought so hard against this retched Proposition 42; simply because it excludes 600 kids from the possibility of any kind of scholarship aid.

As someone said on the floor of the NCAA, that's only 600. How would you like to have one of your kids included in "only 600"? I don't think the vice is in the scholarship itself; I think it's in the accent and the distortion that it places upon the academic experience for the young player.

I think, like these two gentlemen, that it's solvable by eliminating freshman as competitors, by shortening seasons, by not adding an extra three football games to the football season so that it too gets to slop over into a second term.

All of these moves, I think, are more effective than saying to a very poor kid you can't get help.

Mr. COLEMAN. Well, I think Georgetown is the exception of being a high athletic achievement institution as well as a private institution academically oriented. A lot of what we heard before is that a lot of those schools that are intensifying their competition are big public schools that probably would fall within the parameters of our student aid assistance in allowing somebody to attend. I certainly note your point.

Tom, I've read books about college basketball. "Season on the Brink" follows a team through its daily schedule. How does a student go to class? How does he prepare? It exhausted me just to listen to what an average basketball team goes through, flying all over the country during the week.

A student has got to have exams. He's got to have courses. How does he do it?

Congressman MCMILLEN. It's not very easy. I was a chemistry major at the University of Maryland. I had labs that took up an inordinate amount of time. I must say that Coach Drisell always

would excuse me from practice. I always came in late from practice.

It was a balancing act. There was an inordinate amount of travel. I mean, at one point in my senior year, actually my junior year, we missed a straight two to three weeks of class participating in a national invitation tournament.

I had a very, very difficult time catching up. I was in a tough curriculum but there were a lot of kids that basically threw in the towel. Quite honestly, a lot of kids come in their freshman year thinking they are going to be pro athletes.

They think they can take it easy in their school work. Then about the sophomore year or the junior year the reality hits. They are so far behind, their GPAs are so low that they can never recover.

Unfortunately, it's the front end. We are perpetuating a myth on the front end of the education system That's a problem. It's very difficult. I had to take my books on the road and it was not easy. It's a very difficult juggling act.

Chairman WILLIAMS. Congressman McMillen, often the habits we develop in college stay with us for the rest of our lifetimes. I noticed you were late for the hearing this morning. Were you in a lab or shooting hoops? [laughter]

Congressman MCMILLEN. Not a lab, Mr. Chairman, but they changed the practice schedule on us this morning.

Chairman WILLIAMS. Ed, do I understand correctly that your bill affects Division I schools only?

Congressman TOWNS. No, no. That's not correct.

Chairman WILLIAMS. All schools?

Congressman TOWNS. All schools.

Chairman WILLIAMS. Both private and public?

Congressman TOWNS. Yes.

Chairman WILLIAMS. Receiving Federal funds?

Congressman TOWNS. Any schools that receives Federal funds.

Chairman WILLIAMS. How do you enforce the labeling requirement on those schools?

Congressman TOWNS. Well, I think that—first of all, there's no sanctions involved in any way. We feel that the two things we're asking, first that the information would be in the letter of intent.

Second, we are asking the Federal Department of Education to release this information. If any school does not report, I think that you can just about bet they are guilty of something.

I think that the exposure, within itself, is something that will highlight what's going on at the institution. The other thing is that if it's not in the letter of intent, if it's not there, then I think people will be able to look and see that maybe something is very wrong.

If for any reason they still do not comply, then I think at that point in time we can come back and put some sanctions in the legislation. At this particular time, I'm not interested in any sanctions.

Tom and Bill and I just feel that it's consumer information. It's one's right to know. As Tom pointed out so eloquently, I'm amazed at universities actually opposing this. I thought they would be sending us medals.

I thought we would be called by every university who wanted to give us a plaque. I thought that we were doing something that would help everybody, but I found out that that is not the case.

I just don't quite understand it if there's a real commitment to educating our young people.

Chairman WILLIAMS. Tom, let me—while you proceed to respond to that question, let me give you another one to answer along the way. We can label the toxic substance on apples and let the consumer eat the apple with the toxic substance on it or we can move to remove the toxic substance to prevent it from being applied to the apples.

As I understand Father Healy's testimony, he wants to get at the substance; you want to label it. Is it that you believe the labeling of it will drive the reform at a later date?

Congressman MCMILLEN. I am not sure if your question is addressing that do you think Congress should be looking at the substantive issues.

Chairman WILLIAMS. Well, that's what some have suggested. As I understand it, you, Mr. Towns, Senator Bradley suggests simply labeling it.

Congressman MCMILLEN. Well, I think to answer that, I think labeling is, as I said, a fairly innocuous step. It may be viewed as a kind of shot across the bow; if you don't really get substantive reform in the NCAA and the other college athletic programs, what's going to happen is we are going to end up seeing this erosion to public support.

I mean, eight out of ten Americans think they ought to have tighter standards. What's going to happen is you are going to continue to see scandal after scandal in the newspaper. That could very well propel the kinds of things that you're talking about.

The point about this is that I think the NCAA and other institutions are concerned because there is always extenuating circumstances in this kind of labelling effort. A student may die, may transfer, may have to leave school for hardship reasons.

In many cases, it has nothing to do with the institution. I mean, we don't want the institution to have to assume a parental role here. What is significant here is notwithstanding those extenuating circumstances, what is significant is the trend line on an institution.

When you start gathering these statistics and you look at an institution over time, I think it will say something about how it views its responsibility towards its student athlete. On a year to year basis, there will be variances that are very well due to extenuating circumstances.

I think the trend line is significant. That's why I think it's a very modest step in the right direction.

Chairman WILLIAMS. If we had it in effect now, depending on how we gathered the data, what the GAO tells us is that for large public schools, the labelling would show that student athletes have a graduation rate of about 53 percent versus all students with a graduation rate of about 37.

If you had it for the large private schools, you'd find that the student athletes average is slightly below that of all students but not

much. In the AA schools at the large publics, the graduation rate for student athletes is 44 percent and for all students it's only 37.

In the AAA at the large public schools, the graduation rate for student athletes is 45 percent, for all students it's 33. Now you want to label all students. I wonder if we just shouldn't label revenue, those students whose skills bring them into a revenue producing sport.

Apparently, all student athletes are doing better than the rest of the student body.

Congressman TOWNS. I agree with you, Mr. Chairman, that it is the revenue sports where you really have the serious problems. I think that we still should not eliminate other sports because we are not talking about any money. It doesn't cost anything to report this information.

So maybe you have a school that has a terrible tennis program; they are not graduating tennis athletes. I think that a family needs that information to be able to at least assess whether or not my son who plays tennis or lacrosse or whatever sport should go to this particular school.

Chairman WILLIAMS. Does you bill, Congressman, say if you're going to attend school and be involved in the tennis program, then that school must tell you how other tennis athletes do with regard to graduation or does it say all student athletes?

Congressman TOWNS. It says both.

Chairman WILLIAMS. Both?

Congressman TOWNS. Yes.

Chairman WILLIAMS. I see. Reverend Healy, how long have you been president of Georgetown?

Reverend HEALY. Thirteen years, Mr. Chairman.

Chairman WILLIAMS. You've had some wonderful teams during that time. Have you moved to try to make the types of reforms you're suggesting today during your time at Georgetown?

Reverend HEALY. We've regularly published the one revenue producing sport we're engaged in which is basketball, the statistics on scholarships and termination. It's about 90 percent, Mr. Chairman. It's higher, as a matter of fact, than the general student body.

Chairman WILLIAMS. Have you talked with your revenue producing coaches about the length of season in the past?

Reverend HEALY. I have indeed.

Chairman WILLIAMS. Alumni Association?

Reverend HEALY. I have not consulted the Alumni Association on the matter mostly because I suspect that that would, shall we say, not be helpful.

Chairman WILLIAMS. That is, of course, exactly the line of my questioning. How do presidents of great universities that have not only wonderful academic programs but wonderful teams deal with this very difficult issue?

Reverend HEALY. Usually it's an alliance of the president and the faculty. You deal with it giving total priority to the academic good of the kids as far as is humanly possible.

There are students who had the Congressman's schedule who row, who run track and nobody makes a fuss about those but every now and then. For instance, college baseball is probably the worst offender on length of season.

There are certain colleges where the weather permits to play practically a full pro schedule in the two terms of the school year. It doesn't produce any money and the colleges can't make any money on it.

We are emphatically not the farm teams for the professional league so it doesn't get any attention. As a matter of hard fact, I get a report every term on every athlete that holds any kind of student aid from the university, academic or athletic, a report every term including marks, grades, the whole academic report.

It takes a certain amount of weariness and a certain amount of complete control, but as a matter of fact, it's not something that I'm asking anybody's permission to do, to call up the track coach and ask him why he's got five freshman in trouble.

I don't want to listen to his explanation as to where those kids came from, how they got in and why they're in trouble. If the explanation doesn't get satisfactory, I would urge the track coach to find a president to whom he could give satisfactory information.

Chairman WILLIAMS. Congressman Hayes.

Mr. HAYES. Thank you, Mr. Chairman. Of course, it goes without saying to my two colleagues, Towns and McMillen, that I am supportive of the bill that you have presented to us. I am somewhat, to you the president of Georgetown University—I guess I reflect the opinions of many people.

Just a week or so ago when that great football player from the Washington Redskins, Dexter Manley, revealed nationally that he had gone through college and was not able to read and write, I was somewhat mystified as to how this could happen.

Then I look at my own grandson who is a freshman at a private school and he is looking forward to playing college football; yet he says he wants to be a pilot but he is failing in math and religion, by the way.

How this could happen, I don't know but he's doing it. I suggested to him that he better tackle his math and science if he wants to be a pilot and engineer as he says.

Georgetown is a prestigeous school. Thompson, the coach, the basketball coach, is a role model viewed nationally and internationally. What percentage of the dollars that come as a result of the prominence of this school in basketball is the university itself dependent on the minor revenue that is derived from that athletic program as it involves basketball? Is there a great dependency on it?

I ask this question because in reality in my district where they are very poor, there is already recruitment not from your university, so to speak, for 12th grade students to compete to try to get into that college with no concern as to what they might have accomplished academically.

Their abilities to compete athletically is what is the concern of the universities. There seems to be a great dependency. Those kids, because of their economic position, would never be able to enter college of any sort without some athletic scholarship.

Reverend HEALY. Mr. Hayes, most of the reports you get around the NCAA are the athletic programs, even major ones, just about break even. Most colleges, and Georgetown does the same thing,

count on one revenue producing sport to support coaches and activities and equipment for other sports.

If John had a disastrous season and we didn't get into the NCAA, that would not change the position of the other sports at the university. We've had a rule for as long as I have been there that major tournament revenues have either to be put into endowment or into one shot expenses.

Thus, you can resod a field or put lights around a track or something with them. They cannot go into the athletic budget. The reason for that is if you put this kind of tournament revenue into the athletic budget, the coach has a tremendous stimulus from the athletic department to produce a tournament team. That seems to me to be unhealthy.

As a matter of fact, the rest of the athletic program is substantially supported by the basketball program. The university would have to pony up the money if the basketball program had a very bad season or if for some reason we eliminated it.

Most of the big schools will tell you that athletics, even big time athletics is by and large a break even. Almost all the reports you read in the press hugely inflate the revenues.

The story is that if you go to the final four, you make a million dollars. First of all, you don't make a million; you make eight hundred thousand some odd. Secondly, you split that with your league. That gets it down to four hundred thousand.

Third, going all that distance, all that time gets you in about another hundred or hundred twenty thousand off and you're down to under three hundred thousand dollars which, as I say, in our case, I won't let them spend.

They can put it in endowment or they can spend it on a one shot purchase. I don't mind that. That's usually some refurbishing of a physical facility on campus. The notion that millions and millions of dollars are being made, millions are made by the NCAA. They are not made by the individual schools.

Mr. HAYES. Okay. Thank you. Ed, you know the traditional black colleges find it pretty hard to compete with some of our bigger institutions, particularly even in the field of athletics.

Without that assistance in terms of scholarship, many of the kids would never be able to enter postsecondary institutions because they don't have the money, the means to do it.

So how do we—your bill, do you think it will hamper or hurt the abilities of the economically disadvantaged students to be able to enter into an institution of higher learning?

Congressman TOWNS. I don't think it will hurt at all. I think what will happen more than anything else, since there's no sanctions in the bill, I think that once institutions are exposed, I think that support will be given to the students.

I think that some of the things Father Healy mentioned in reference to schedule and all of that should be looked at very carefully because they realize that a student can only do so much between school work and his or her time involved with sports.

I think the other thing that will happen is that maybe at some point in time we will look again at freshman playing. In fact, I would have no problem with a freshman coming in and getting ad-

justed the first year and then having four years and being able to play three.

I think that will probably enhance the possibility of them getting degrees. They will be able to cut down on the workload in terms of the amount of credits they would have to carry.

I think this makes a lot more sense. The NCAA only has, I think, a little over $500,000 for scholarships for students who do not finish within their eligibility limits. You know as well as I do that $500,000 is not a lot to do anything with.

I have two children in college. Believe me, I know what it costs to send a child to school today. Unfortunately, neither one of them are athletes.

Mr. HAYES. Thank you, Mr. Chairman.

Chairman WILLIAMS. Mr. Poshard.

Mr. POSHARD. Thank you, Mr. Chairman. I'm sitting here listening to all this and I don't think I have a question but maybe an observation. I've been very fortunate in that I've been able to work most of my professional life at all of the different levels of education, higher education and secondary and elementary.

I remember very specifically the pressure from the high schools and even the junior highs and elementary to meet the standards that the colleges and universities set not just academically but also athletically.

I think the trend starts from the top down. I remember one of my jobs. I was directing some programs for the state of Illinois for academically, intellectually and creatively gifted youngsters.

I went to a group of high schools and said we would like to start a gifted program here for these students. We need special teachers for them. We need a special laboratory for them to home their skills in.

We need a special bus to take them to competitive events. In fact, we need other buses for students to go to those events along with them. We need support personnel for the special teachers.

We need a lot of things here to get these kids to live up to their expectations and their potentials as math students, as science students, as literature students and so on. We were universally rejected by every school board that we talked to about every request because they said a gifted program for academically and intellectually and creatively talented youngsters was elitist.

It should never enter into the American public school system. Forget that sort of thing. We were very quick to point out that at any time at 3:30 in the afternoon you wanted to go down to the gymnasium, you saw the most prolific gifted program anywhere in the country.

You saw special teachers dealing with a very few special students who had highly developed skills, teachers who went through their own university experience to develop skills specifically to help that small group of students.

You had tremendous resources in the way of buses to help follow these students around, to support them. No one ever really questioned that amount of resources that public high schools and even elementary schools devote to the student athlete.

When you talk about other areas of giftedness which ought to be the areas, in my judgment, that this country cares deeply about in

terms of solving the very profound problems that we have in this country, that is elitist. No one wants to deal with that.

I guess my concern is that that whole standard is set from the point of view of intercollegiate athletics. It filters down through the system. I know we have a way to change it, but I don't think we have the will to change it.

I doubt that we ever will. My judgment, Mr. Chairman, is that a lot of things are lacking in this country because of our emphasis on athletics. I don't hold it in disdain. I think athletics is important.

In fact, I have a Bachelor's Degree in physical education. I was a coach. I wanted to be a coach. I tell you, Congressman, I agree with your bill. I think it's a step in the right direction to at least let these student athletes know what they are getting into by the particular university they choose and the graduation rates.

I would just hope that we can find a way to emphasize more the academic content with these young people because we want them to become the best athletes but not at the expense of becoming the best minds that they can be.

Chairman WILLIAMS. I couldn't help note Charlie Hayes' concern about the young student who wants to be a pilot and is failing in mathematics and, Father, in religion. While I personally wouldn't be concerned about failing in mathematics as one who flies back and forth to Montana, I am concerned about a pilot's inability to pray. [laughter]

Before we go on to our second panel, let me ask any of you if anything occurred to you that you wanted to say before we go on to our next panel. Father, did you have any closing statements you wish to make?

Reverend HEALY. No, thank you, Mr. Chairman. Thanks for hearing us.

Chairman WILLIAMS. Thank you for being with us. Congressman Towns?

Congressman TOWNS. I recognize that this might not be a total solution to the problem, but I think as Congressman Poshard mentioned, I think it's a giant step in the right direction.

The fact that a person is able to look at a school, based on information in the letter of intent, and make a decision because he has the information—many times students do not have any information about graduation possibilities and they will make decisions based on what the recruiter says about the institution or what they've seen on television.

We are further encouraging that kind of decision making, if there is no independent information. I think the "Student Athlete's Right to Know Act"will make a major difference. Some universities will begin to look at what's going on and will do better.

I think that there are some situations out there where they are asking for help. This would provide that help. The NCAA is saying that the rules, the bylaws, will not permit them to release this information.

The only thing this legislation does is make it possible for them to do so. So, Mr. Chairman, I'm hoping that somewhere along the line that we can move this ahead.

Chairman WILLIAMS. Congressman McMillen.

Congressman MCMILLEN. You know, I think the rest of the world looks at the United States and laughs at us about our priorities. We should—the governing bodies, the CEOs of the institutions should reflect the way the American people feel.

Americans are concerned about the imbalance in our college athletic programs. In the high schools in my local congressional district, you can have a 1.6 and play athletics. Is there any reason why when these kids graduate or get near their senior year that they are not prepared to go to college?

You think we have a problem today, wait 20 years. With the proliferation of sports worldwide with television, with sports going on to cable television—as I said the other day, Michael Jordan's son, if he's Michael Jordan, is going to make $25 million a year jetting around on a leased Concorde around the world.

If you don't think that will distort the system from the beginning of the academic cycle to the end, then we are fooling ourselves. What we are trying to do here today is to prod the system along and say reflect the priorities of the American people who are concerned about this.

They are concerned because they see America being so fixated with sports that we're losing the real economic battle. I agree with Glen's and other's statements that we have a problem and I think this is a step in the right direction so that the good in athletics is not barred. Thank you.

Chairman WILLIAMS. We thank each of you for being with us.

Dr. Massengale and Mr. Ruble—I don't believe Mr. Jeffries is with us, but will the other two come forward, please.

Dr. Massengale is chancellor at the University of Nebraska out of Lincoln. Doctor, we're delighted you are with us today. Please proceed.

STATEMENTS OF DR. MARTIN MASSENGALE, CHANCELLOR, UNIVERSITY OF NEBRASKA, LINCOLN; AND GARY RUBLE, FORMER FOOTBALL PLAYER, UNIVERSITY OF NORTH CAROLINA

Dr. MASSENGALE. Thank you. Chairman Williams and members of the subcommittee, I am Martin Massengale, a chancellor at the University of Nebraska, Lincoln. I'm also the current chair of the NCAA president's commission.

I do appreciate the opportunity of being with you today to discuss the current state of intercollegiate athletics. I understand, Mr. Chairman, that your first question during the last hearing related to the capacity of an institutional chief executive to maintain control of his or her intercollegiate athletic program.

I want to indicate today that I believe it is possible to maintain such control. This does require, however, regular attention of the program by the chief executive officer. At Nebraska, the athletic director reports directly to me.

I meet with him regularly during the year. At least once each year, I try to meet with all the head coaches to let them know what is expected of them as a coach. I also believe that effective control requires a willingness by a board of trustees or a board of regents to completely support the CEO in his efforts to assure integrity in the program.

I want to indicate that at Nebraska I am fortunate to be able to work with the board of regents that has not interfered with my control of the athletic program.

Now as noted last week by Dick Schultz, the NCAA president's commission has been instrumental in placing into the hands of university presidents and chancellors the tools by which they can appropriately oversee the conduct of their intercollegiate athletic programs.

The commission was established in '84 to serve as a leadership structure and a forum for presidential interest and intercollegiate athletics. I think before that time many of the CEOs were not actively involved.

Mr. Schultz, I believe, also described to you the powers of that commission. I want to indicate this morning that since the commission has been formed, that it has used all of those powers.

It has called special conventions. It has commissioned studies. It has sponsored legislation. In 1984, the commission took action to conduct a confidential survey of the CEOs of all member institutions, some 800, regarding the integrity and economic issues.

After that, they agreed to call a special convention to act upon proposals that the commission developed as a result of that survey. After completion of the survey, the commission drafted a series of eight legislative proposals for action at that convention.

All eight proposals were accomplished or put into place or were successful. Among those first were the institutional self-study requirement, Division I academic reporting requirements for graduation rates and other academic information, the differentiation between major and minor violations of legislation, and the so-called death penalty for repeat offenders, finally, the annual financial audit requirement.

Again, in 1987, a special convention was called by the commission in which the membership voted to approve a commission sponsored proposal establishing an 18-month national forum on the proper role of intercollegiate athletics and higher education. As well, a number of research studies were approved in that particular convention.

The convention adopted proposals calling for studies of financial aid limitations on athletes, number of individuals involved in institutional athletic staffs, limit on recruiting periods, and the effect on varsity participation of academic performance of freshman student athletes.

I believe the national forum, which has now been completed, and the research studies of which the results are being released throughout this year, will further provide tools for the CEOs of different institutions to comment, to take action on various things relating to intercollegiate athletics.

I would agree with President Atwell that as a practical matter, there is only a limited amount of things that one CEO can do to change the role of intercollegiate athletics. I strongly believe that the president's commission represents the most viable and practical means by which consensus on various matters relating to intercollegiate athletics can be taken.

Finally, let me say a word about the Student Athlete Right to Know Act. I believe Mr. Schultz also indicated to you last week

that the president's commission discussed this Act at its meeting in connection with the NCAA convention last January.

We, the commission, are now in a process of developing a legislative proposal which will go to the convention in January on the subject of disclosure of graduation rates. Quite frankly, there are a number of issues to be analyzed.

That is, which institutions should be reporting in that obligation? Right now, only Division I. Second, should the raw graduation rate or should the adjusted rate be reported? Should recruits themselves to whom the data will ultimately be reported be the only ones to have access or should this be public information?

Should special mention be made for those public institutions which are required under state law to pursue an open admissions policy for their state residents? I think these are all legitimate questions, Mr. Chairman, and even one who believes in disclosure.

We, in the commission, will review each of those. We will take care in the upcoming months to put them before the convention for action. I believe that action will be taken at the next convention. I assure you I will work toward that.

Let me thank you again for appearing before this committee this morning, Mr. Chairman.

[The prepared statement of Dr. Martin Massengale follows:]

For Release
9:30 A.M.
May 24, 1989

STATEMENT OF MARTIN A. MASSENGALE
CHANCELLOR, UNIVERSITY OF NEBRASKA, LINCOLN
before the
SUBCOMMITTEE ON POSTSECONDARY EDUCATION
COMMITTEE ON ENERGY AND LABOR
May 24, 1989

Chairman Williams, members of the Subcommittee. I am Martin A. Massengale, Chancellor of the University of Nebraska, Lincoln. I am also the current chair of the NCAA Presidents Commission. I appreciate the opportunity to appear here today, both as a chief executive officer of a Division I NCAA member institution and as chair of the Commission, to discuss the current state of intercollegiate athletics.

Through the NCAA, I am generally familiar with the testimony presented at your hearings last week, and in particular I have reviewed the formal statements of ACE President Atwell and NCAA Executive Director Schultz. To a significant extent, I intend to orient my statement today to matters raised at those hearings.

My institution is a member of the NCAA Division I-A and is also a member of the College Football Association. In the academic year now just ending, 450 young men and 150 young women will have participated in Nebraska's intercollegiate athletic programs. We offer 10 sports for men and 9 sports for women. Our football team is perennially one of the most successful in the country, having been ranked in the top ten 19 consecutive years and having made a post-season bowl appearance every year in the past two decades.

Our university has produced 34 Academic All-American student-athletes since 1960, 21 recipients of NCAA post-graduate scholarships, and eight National Football Foundation and Hall of Fame post-graduate scholarships. Our current budget for intercollegiate athletics is approximately $13 million, of which about 90% will be covered by revenues from our football program. Except for football and men's basketball, none of the sports in our athletic program generates revenues in excess of expenses.

I understand, Mr. Chairman, that your first question during the last hearing related to the capacity of an institutional chief executive to maintain control over its intercollegiate athletic program, particularly in the context of

a successful "big time" football or basketball program conducted by an able and popular coach. Tom Osborne, our head football coach for the past 16 years, is certainly such an individual. At Nebraska, the Athletic Director reports directly to the Chancellor's office, and I make it a point to meet with him regularly. At least once a year, I meet with all our head coaches to let them know what is expected of them by me; at any time a new head coach is hired, I make it a point to meet with him for much the same purpose. In addition, before each NCAA Convention, I will meet with our Athletic Director, our NCAA faculty representative, and possibly one or two of our coaches to go over all important legislative proposals and determine an institutional position. I am also fortunate to be able to work with a board of regents which has never attempted to subvert my control over the athletic program; as you know, potentially serious problems can arise when an athletic director or coach attempts to "go around" the CEO to the trustees.

In short, it is possible for a CEO to maintain control of a successful athletic program and to assure that the nature and scope of that program are consistent with the educational mission of the institution defined by the trustees (regents) and, in the case of a public institution, in part by the legislature. This requires, however, regular attention to the program by the CEO and, I will concede, a willingness by the trustees to completely support the CEO in his efforts to assure integrity in the program.

As noted by Dick Schultz last week, the NCAA Presidents Commission has been instrumental in placing into the hands of university presidents and chancellors the tools by which they can appropriately oversee the conduct of the intercollegiate athletic programs. I'd like to give you some background on development of the Commission and some of its work:

Since the mid-1970's, the NCAA has sought the most effective means of bringing about presidential involvement in the affairs of the Association. It was in the middle of that decade that attendance by chief executive officers at the NCAA Conventions increased markedly, and since that time, 100 or more chief executives have attended each NCAA Convention.

Through the late 1970s and early 1980s, however, the Association's efforts to assure CEOs' involvement in other ways met with limited success. Certain positions on the NCAA Council, the division steering committees and certain other NCAA committees were earmarked for CEOs; and in the early 1980s, the NCAA conducted an annual September program for a representative group of presidents and chancellors. While those activities were beneficial, they did not develop into a significant role for CEOs within the Association.

In 1983, the NCAA Council -- working via a subcommittee that included presidents who were serving on the Council -- developed a proposal to establish an NCAA Presidents Commission as an ongoing entity within the Association's administrative structure. Concurrently, a committee of the American Council on Education was formulating a proposal to establish a Board of Presidents that would transcend the NCAA structure inasmuch as it would have veto power over the actions of the NCAA membership as a whole.

At the January 1984 NCAA Convention, the membership, after more than two hours of debate, defeated the ACE's Board of Presidents proposal, with 311 voting in favor and 128 against. A two-thirds majority was required for passage. The membership then voted overwhelmingly to create the NCAA Presidents Commission as proposed by the NCAA Council.

As established in the legislation, the Commission was to serve as a leadership structure and forum for presidential interests in intercollegiate athletic matters. It was the first defined, ongoing forum for chief executive officers within the NCAA structure, and its primary function was and is to represent the interests of presidents and chancellors in major policy issues in college athletics.

The legislation adopted in 1984 granted the Commission substantial authorities. The Commission is empowered to:

- Review any activity of the NCAA;
- Place any matter of concern on the agenda for any meeting of the Council or for any NCAA Convention;
- Commission studies of intercollegiate athletic issues (via the customary NCAA budget procedures) and urge certain courses of action;
- Propose (sponsor) legislation directly to any NCAA Convention;
- Establish the final sequence of legislative proposals in any Convention agenda, within the Association's constitutional procedures;
- Call a special Convention of the Association;
- Designate specific Convention proposals for which a roll-call vote of the eligible voters will be mandatory; and

- Approve the appointment of the NCAA executive director.

The Commission conducted its organizational meeting July 1984, and at its second meeting held in October 1984, the Commission took action to conduct a confidential survey of CEOs at all NCAA member institutions regarding integrity and economic issues and agreed to call a special NCAA Convention in 1985 to act upon proposals the Commission would develop from the results of that survey.

The Commission's first chair -- John W. Ryan of Indiana University -- selected the American Institutes for Research to conduct the CEO survey. In December 1984, the special Convention was scheduled for June 1985. In the intervening months, the Commission developed a series of eight legislative proposals for action at the special Convention. All eight were successful, and all by substantial margins. The special Convention attracted 199 chief executive officers, and numerous others dispatched a vice-president or vice-chancellor to represent them. That special Convention was a landmark in the Association's history. Among the Commission proposals adopted -- and these were all described in Dick Schults' statement -- were the institutional self-study requirement, the Division I academic-reporting requirement, the differentiation between major and secondary violations of NCAA legislation and the so-called "death penalty" for repeat offenders, and the annual financial audit requirement.

After that special Convention, the Commission reviewed other results in the survey of CEOs and began 1986 by identifying financial aid, academic integrity, and enforcement and compliance issues as its next major topics. Late in 1986, however, a delegation from an American Council on Education committee appeared before the Division I subcommittee of the Commission with seven specific recommendations for Commission consideration and urged the Commission to take action in those areas. In response, the Commission approved a statement drafted by Chancellor Heyman of the University of California, Berkeley, then the Commission's Division I chair, and appointed him to chair an Ad Hoc Committee on Institutional Responsibility.

In 1986, the Ad Hoc Committee of the Commission conferred with two NCAA Council subcommittees in the areas of playing-season limitations and cost-containment issues and called a special NCAA Convention for June 1987. At that Convention, the Commission's proposals met with mixed success -- some succeeded, some failed and some were deferred for further study -- but the membership did vote to approve establishment of an 18-month National Forum on the proper role of intercollegiate athletics in higher education, as well as a series of research studies (again

done by AIR) in that regard. It also adopted the Commission's proposals calling for studies of financial aid limitations, numbers of individuals involved on institutional athletic staffs, limiting recruiting periods, and the effects of varsity participation on the academic performance of freshman student-athletes.

The National Forum was introduced at that special Convention, and subsequent sessions were conducted at the annual NCAA Convention in Nashville in January 1988 (featuring economic considerations in athletics); in Orlando in June 1988 (emphasizing the NCAA membership structure, NCAA legislative and governance procedures, and financial aid); and at the annual Convention in San Francisco in January 1989 (the effects of intercollegiate athletics participation on the student-athlete, based on results of research studies by the American Institutes for Research).

I would be the first to agree that the mixed success of the Commission's rather detailed proposals at the 1987 special Convention was at least in part a product of inadequate preparation and consensus-building on Commission's part. Indeed, after that Convention the Commission adopted a resolution to the effect that it would forego the submission of detailed legislation in the future, unless there is overwhelming support for a particular proposal, and that it would emphasize more effective contact with CEOs to build support for Commission initiatives. That has been the focus of the Commission while I have been chair.

I believe that the National Forum and the AIR studies, three more of which are yet to be released this year, will represent valuable tools by which such consensus among CEOs can be built. I agree with ACE President Atwell that as a practical matter, there is only a limited amount that one CEO can do to change the role of intercollegiate athletics, but I also strongly believe that the Commission represents the most viable practical means by which consensus on various matters can be achieved.

I also want to say that I strongly believe there is a new spirit alive, among CEOs, with respect to intercollegiate athletics. As evidence, I need point you no further than the story in the Washington Post last Saturday on the sanctions taken by the NCAA against the University of Kentucky's basketball program. Although the headlines focus on the violations and the severe penalties assessed, the real headlines are that the NCAA Committee on Infractions tempered the penalties because of the outstanding cooperation given to the NCAA investigation by the university administration, led by the CEO, and by the strong steps unilaterally taken by the university against those involved. I believe that kind of institutional remedial conduct

is becoming more and more the norm in connection with NCAA infractions cases, and in fact represents the real promise for integrity in intercollegiate athletics.

Because of the prominence given in the Washington Post to Senator Bradley's remarks last week in support of the Student-Athlete Right-to-Know Act, I would like to comment on the action of the Presidents Commission on this issue so far this year. I must say I find the Senator's reported statement of shock that the NCAA is "opposing" the bill because it has not already adopted the principles of the bill, to be a bit disingenuous: the Senator and the other sponsors of the legislation in the House are certainly aware that opposition to the principles of the bill was expressed, not by NCAA representatives, but by the President of American Council on Education. As noted in Dick Schultz' testimony last week, the NCAA is a democratic body, and as with any important legislative concept, time is required to define the objectives, draft legislation that reflects those objectives, and then build consensus that permits passage of a legislative proposal, or some variant thereof. In that respect, the NCAA is not different from this body, or indeed the United States Senate.

As I believe Mr. Schultz told you, the Presidents Commission discussed the Student-Athlete Right-to-Know Act at its meeting in connection with the NCAA Convention last January. A resolution was adopted by the Commission calling upon the NCAA staff to draft proposed legislation by which admissions, academic and graduation rate data would be made available to prospective student-athletes, especially as a part of the recruitment process. As you know, these data are currently collected by the NCAA from Division I institutions, and are published by type of Division I institution and by geographic region, but without identification of any individual institution. Many institutions make these data available to recruits on a voluntary basis, and indeed members of the College Football Association make graduation rate data on football players publicly available through the CFA.

The NCAA staff has prepared draft legislation which would require institutions to make available to prospects and their parents, and to high school coaches and two-year college coaches, precisely the same admissions academic and graduation rate data now being reported to the NCAA. At our most recent meeting two months ago, each of the divisional subcommittees of the Commission endorsed the original Commission resolution to propose graduation rate disclosure legislation, and discussed in general terms the content of the legislative proposal. We will discuss specific legislation at our meeting in October, and we will submit legislation at the upcoming NCAA Convention in January 1990.

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Quite frankly, there are a number of issues to be analyzed. Here are a few:

1. Which institutions should be included in the reporting obligation? Right now, of course, only Division I institutions file reports with the NCAA. Is it equally appropriate that all NCAA institutions, even those in Division III which do not award athletically-related financial aid, be required to report?

2. Should raw graduation rate data, or adjusted rate data as defined in NCAA legislation, be reported? The former can be very misleading, but compilation of the latter, for many institutions, may be expensive.

3. Should data be reported by race, as suggested in the Bradley-McMillen bill? Many institutions would find such reporting conceptually offensive, and in some institutions, reporting on this basis might create Buckley Amendment problems.

4. To whom should the data ultimately be reported, and by what means?

5. Should special provision be made for those public institutions which are required, under state law, to pursue an open admissions policy for state residents? Such a policy might seriously skew reported data, and it may be unfair to compare such an institution against a private university or one with different admissions policies.

These are all legitimate questions, even for one who believes in the fundamental concept of disclosure. We in the Commission will review each of them, and others, with care in the upcoming months, and will draft a final proposal for consideration by the next Convention. I am optimistic that a good proposal can be fashioned and can be accepted by our member institutions.

I close by expressing my disagreement with the claims by Messrs. Atwell and Deford at your hearings last week, that intercollegiate athletics is so fundamentally sick that the NCAA is incapable of dealing with its problems. I think the NCAA has made really remarkable strides in the past decade, and that all signs point to further progress. I note the frustration publicly expressed last week by my colleague on the Commission, Father Healy of Georgetown. I agree that the development of consensus within the NCAA and its divisions is often difficult and time-

consuming, but I also believe that the Presidents Commission is the proper body to develop that consensus and to keep intercollegiate athletics on the right track.

Thank you.

Chairman WILLIAMS. Thank you, Dr. Massengale. We appreciate you being here.

Mr. Gary Ruble is here in his capacity as a former football player with the University of North Carolina. We are very interested in hearing your experiences and any recommendations you have, Gary.

Mr. RUBLE. I'd like to first thank you, Mr. Chairman and the subcommittee, for allowing me to speak. I was phoned this weekend about this hearing. I was very unsure of what I was going to say and what I was going to be coming into.

My experience at the University of North Carolina caused a great discomfort in my life. I was a student athlete, on scholarship. I went to LaPlata High School which is out of LaPlata, Maryland.

The University of North Carolina came to me and offered me, basically, the world. They came and said come to our school. Be a student athlete. We will guarantee that you will graduate. We will promise you to be a star, et cetera, et cetera, et cetera.

While I was there my freshman year, I was red shirted, which is a common practice at the University of North Carolina which they do not tell you straightforward. You find that out when you get there. At times, that can be very discomforting. Your ego drops. You go and you think you can play at this university and they tell you no.

The bill that I have just heard about today I think is a great idea for freshman in eligibility. A freshman should go in knowing yes or no he will play. A lot go in as basketball players and come out as top recruits and they know they are going to go and they are going to play.

With football, it's a different story. You go in as an offensive lineman, which I was, at 240 pounds and you go into a system where you have offensive linemen who are 285 and they are telling you that you are going to play. That's an impossibility.

I think they should tell you this forward. I went through three years of athletics at the University of North Carolina. At the conclusion of the season, my position coach called me to his office and stated that I should consider either transferring to another school or dropping out gracefully. I was no longer to be considered in their plans for our team.

I had no idea this was happening. In that season, our first game was against the University of Navy. I was not able to travel. The very next away game I travelled to and continued to travel to until we came to the University of Maryland where once again I was informed that I would not travel.

I believe this was ploy to make me upset and to consider their offer which was eventually given to me at the end of the season. They had this planned in their mind, I have a feeling.

You can never say this to them, the coaches, or to the committee which Mr. Massengale is a part of, I am sure, with the scholarships from each university. I was told when I went back that season—at the end of the season I went back for the beginning of the spring semester—that I had no option of whether to stay or go. They were not allowing me to retain my scholarship.

I was relatively ignorant to the way that the committee ran things and the way that scholarships were handled. When a re-

cruiter comes to your house, they tell you that in four years you will get education and you will get athletics, which is not true.

The NCAA has a year to year contract deal for a scholarship student which you will go and you'll sign. They do not tell you this when they are recruiting you or they did not when I was being recruited.

I think it's something that should be stated when they come to your house as well as the graduation rates which have been discussed earlier. When I was told to leave the university's athletic program, I was unsure of the way to appeal this.

I did not want to leave. I was very well in touch with the program. I felt that I gave it my all and that I would give it a profitable status. They thought otherwise. What I did was I took it to the university's scholarship appeal committee which was the first ever.

Nobody had ever gone to this committee and said something is wrong. These coaches are doing something that is not true. They should not be allowed to do this. When I did that, they created—which was the Dr. Dearman, Dr. McCoy, and I don't remember the third gentleman's name—a committee in which to hear Coach Crum—at the time it was Dick Crum.

The athletic director and myself and my family were all taken into this hearing separately to give our points of view on what happened. They came to the conclusion that I was able to keep my scholarship.

The university backed me. The athletic program did not. I think the universities and the athletic programs have to come together and create a uniformity in what they do and how they feel about things and what is going to happen.

If a student goes into a college and they say we will give you education and sports, then they should do that and not try to take it away from you. There were a number of students that had this happen but did not say anything or come forward and complain, I guess you would say.

The colleges, the athletics say you go and you do your job and if they don't like you or if you have a problem with that particular organization, then they do as they please. That is basically what happened here at the University of North Carolina.

Coach Crum is no longer with the university. I would not say it's because of me. He wasn't—didn't have any real luck at the university. When they were asking for his resignation, I was called upon to give my statement to the local media.

It was perceived as a problem to the university as well as the coaching staff for what Coach Crum had gone through and what he had done. I'm very supportive of this bill, just the little bit that I've heard. I don't know that much about it.

This is the first time that I'd heard about it. I don't know what else to say.

Chairman WILLIAMS. Thank you. Mr. Ruble, could you have attended the University of North Carolina or perhaps any college had it not been for the financial assistance you received through your athletic scholarship?

Mr. RUBLE. Academically or financially?

Chairman WILLIAMS. Financially?

Mr. RUBLE. No. Even through Federal funding, my family would not have—well, except for maybe going into extreme loan debt. That would have been the only other alternative.

Chairman WILLIAMS. Hearing your interview with people from the school, apparently people from the athletic department, prior to your entry to the school, did you discuss the fact that if you, in fact, didn't make the team, in effect, in the ensuing years, you wouldn't be able to stay at the school?

Mr. RUBLE. No.

Chairman WILLIAMS. Dr. Massengale, your colleague, Father Healy, has had three suggestions in his testimony, which I believe you heard. Included in those was his third suggestion of what he calls accountability.

He recommended first under that accountability that every school published graduation rates were all scholarship athletes; second, that the graduation rate of those athletes must be as good as the graduation rate of all the students.

Would you comment on those two suggestions?

Mr. MASSENGALE. Mr. Chairman, I think it's always appropriate to review length of season and graduation rates. I do believe also that graduation rates for athletes should be as high as that of the student body as a whole.

It's true they have a lot of demands on their time, but they also have a lot of academic counselling and help. I think we do have an obligation to, in the truth of lending, if you will, or so forth, letting our potential students know what the graduation rates are for different institutions.

I think where I would differ in the context, I believe that is not a Federal responsibility but it's an institutional responsibility handled through our own organizations. So I would say yes, we should be able to make those available.

There are some questions that I mentioned in my testimony about how specific you can be on an individual's right to privacy. I think when you get into graduation rates of certain sports, very low numbers, you can become very personal in a short period of time.

Those need to be looked at and discussed and handled in an appropriate manner, Mr. Chairman.

Chairman WILLIAMS. Mr. Hayes.

Mr. HAYES. Thank you, Mr. Chairman. I am going to be very brief. I heard the first bell and I've got a feeling that we may have to go to adopt yesterday's proceedings and I may not be able to get back.

To Dr. Massengale, in response to the question you posed about data collection, the legislation would require all divisions not just one division to report graduation rates. Is that right?

Mr. MASSENGALE. At the present time, Congressman Hayes, only Division I reports graduation rates to the NCAA. The legislation that we are crafting I believe, although it has not been finalized, it would be my opinion that all divisions should be reporting that so that a student in any division or any member school would know what the potential graduation rate would be.

Mr. HAYES. The issue which includes race in the reporting of graduation rates is one that I am personally concerned about. The

black community is really up in arms about what they consider to be exploitation of black student athletes.

If blacks are graduating at the same rate of other student athletes, one shouldn't have any objection to the reporting of these rates; should they?

Mr. MASSENGALE. Well, Congressman Hayes, I think that we have an obligation to all of our students to make known this information. I wouldn't see it being any objection as long as it didn't invade the individual privacy of an individual student or of a student athlete.

Normally, rates should be given in my opinion but not to violate that privacy.

Mr. HAYES. On the issue of comparing public universities with private universities which may have more restrictive admissions criteria, the bill tries to address that issue by requiring comparison of the graduation rate of student athletes with the graduation rate of the general student body at each institution.

Do you agree it tries to address that issue?

Mr. MASSENGALE. I think that is correct. That is a proper comparison because different institutions have different admission rates. I think comparing with the other students at that institution is a valid comparison.

Mr. HAYES. Okay. Thank you, Mr. Chairman.

Chairman WILLIAMS. Mr. Poshard.

Mr. POSHARD. Yes, thank you, Mr. Chairman. Gary, when you were considering which university to attend among the offers that you were receiving for scholarship, how much emphasis did you put upon the academic arena? Did you consider that at all in terms of your deliberations about the athletic scholarship?

Mr. RUBLE. I considered it very well. I was also recruited by the University of Virginia, North Carolina State, and Rutgers University. I visited all but Rutgers.

We discussed academics as well as athletics on recruiting trips. My heart was just basically won over by Carolina blue, a great university, a great campus.

Mr. POSHARD. The contract that you essentially signed with the University of North Carolina, there was no indication in that whatsoever that if you broke your leg the second year out and weren't able to play football any longer what was going to happen to you with your academic career?

I mean, what were the contingencies in there, supposing injury or your inability to make the team or whatever?

Mr. RUBLE. The scholarship or the letter of intent that I signed was not a make the team or not make the team. If you signed it, basically, you were on the team.

As far as medical expenses and activities were concerned, if you broke your leg and were no longer able to play, you were given a medical extension which said that you were receiving your scholarship regardless of whether or not you could play, if it was an injury.

Mr. POSHARD. Dr. Massengale, it worries me a little bit that a student can sign to play at a university under an athletic scholarship and then depending upon what happens to them, maybe

beyond their control, they are not able to make the team or to continue for whatever.

Are they just left to their own devices, then, for the most part to finish out their academic education?

Mr. MASSENGALE. Congressman, I guess that depends on which institution you're talking about. At our own institution, which I can speak for, if a student athlete is injured——

Mr. POSHARD. Excuse me, sir. I am sorry. I guess the further point that I'm trying to raise is that the NCAA has no standardization of that process across the board in regard to the letting of athletic scholarships?

Mr. MASSENGALE. That basically is correct, Congressman. The scholarships are awarded for a year at a time as far as the NCAA is concerned. Then each institution from there decides that.

As I was going to indicate, in our own institution if an athlete is injured, we will see them through to graduation. I think when that young person makes a commitment to your institution, you make a certain commitment to them.

If it's for other reasons, then we review each case individually. In one instance since I've been chancellor, I have been receded and kept a student on scholarship against the recommendation of the athletic department. We do review each one individually unless it's an injury.

Mr. POSHARD. Thank you.

Chairman WILLIAMS. Finally, Dr. Massengale, the Division I schools, as I understand your testimony, now report their graduation rates but they report it to the NCAA. Do you have any objection to them being required to report it to the incoming students that they are recruiting for student athletics?

Mr. MASSENGALE. I do not.

Chairman WILLIAMS. Do you suggest that they do that?

Mr. MASSENGALE. I think it would be fine. As a matter of fact, as I mentioned earlier, Mr. Chairman, the president's commission is drafting legislation to put forward at the convention this January that would mean the graduation rates would be published.

I think to some of the questions that I mentioned or comments that I mentioned, what we're discussing and how you publish those and the detail in which they are to be published—but personally I have no objection to those being published as long as we don't violate the individual privacy rights.

Chairman WILLIAMS. Let's just take Mr. Ruble as the example—Gary, if I might use you here as an example. Mr. Ruble didn't think to tell those who were recruiting him that if he didn't make the team, he would have to drop out of school because he couldn't make it financially on his own. He didn't think to tell them that.

Do you think that the Gary Ruble's around the country are going to think to call the NCAA to find out what the graduation rates are or check the New York Times where they might be published to find out what the graduation rates are down at the University of North Carolina?

Shouldn't the recruiter have to sit in the living room and say here are the facts of graduation rates for basketball players or, in Mr. Ruble's example, football players?

Mr. MASSENGALE. Mr. Chairman, to answer your first question, no, I don't think the athlete will check all those things out.

I personally would certainly approve, and that's one of the reasons why I meet with our coaches from time to time during the year, to indicate what I think our obligation to that young person is and that they need to be, if you will, truth in advertising or when they are talking to those young people, pointing those things out.

I do believe that it is appropriate for that young person to know those graduation rates when they are interested in a particular school.

Chairman WILLIAMS. Thanks to both of you for being with us today and for giving us your testimony.

Mr. MASSENGALE. Thank you, Mr. Chairman.

Mr. RUBLE. Thank you.

Chairman WILLIAMS. Will Dr. Hawkins, Dr. Lapchick and Dr. Milburn please come to the hearing table. I note that Dr. Hawkins is from a renowned school with which Mr. Hayes, no doubt, has some familiarity. I thought perhaps, Charlie, you would like to introduce Dr. Hawkins to the panel.

Mr. HAYES. Thank you, Mr. Chairman, for this opportunity. I am proud to introduce our next witness who also happens to be a constituent of mine, Dr. Larry Hawkins. Dr. Hawkins has been involved in athletics and academics for more than 30 years.

For many of those that have an interest in basketball, you will find it interesting to note that Larry is a former Harlem Globetrotter. In 1963, he became the first African-American coach to win the state of Illinois High School basketball championship.

To complement his powers on the court, he holds a PhD in education and is a director of the Office of Special Programs at the University of Chicago. Dr. Hawkins is also president, founder and director of the University of Chicago-based Institute for Athletics and Education.

Mr. Chairman, many of our colleagues, including one of our former witnesses, Senator Bradley of New Jersey, are very familiar with Larry's expertise in the subject matter before the subcommittee today.

Again, I would like to welcome him before the subcommittee and look forward to hearing his testimony. Thank you, Mr. Chairman.

Chairman WILLIAMS. Larry Hawkins, nice to have you with us today.

STATEMENTS OF DR. LARRY HAWKINS, DIRECTOR OF THE OFFICE OF SPECIAL PROGRAMS FOR DISADVANTAGED STUDENTS, UNIVERSITY OF CHICAGO AND DIRECTOR OF THE UNIVERSITY INSTITUTE OF ATHLETICS AND EDUCATION; DR. RICHARD LAPCHICK, DIRECTOR, NORTHEASTERN CENTER FOR THE STUDY OF SPORT IN SOCIETY, BOSTON, MASSACHUSETTS; AND DR. STEVE MILBURN, PRESIDENT, NATIONAL ASSOCIATION OF ACADEMIC ADVISORS FOR ATHLETICS, LOUISVILLE, KENTUCKY

Dr. HAWKINS. Thank you very much. I want to thank you, Congressman Williams, for inviting me to appear before you and cer-

tainly want to thank Congressman Hayes for that fine introduction, the first ten minutes of my speech, of course.

I'm a high school coach in the public schools of Chicago and, as the Congressman said, director of the Office of Special Programs at the University of Chicago. This concurrent arrangement has existed for 20 years by mutual agreement between the Board of Education of Chicago and the university.

In addition, I serve as president of the Institute for Athletics and Education, a national organization founded in 1972 that is headquartered in Chicago with member groups around the country.

It sponsors activities that support the philosophy that school sports should reinforce the goals of elementary and high school education. I suspect I better say here with threat to my life that I coach girl's volleyball at High Park High School in Chicago. If I don't get that in, those girls will attack me.

There is a tendency to understand sports athletics the game as some kind of homogenous mass; it is not. The colleges, Division I, and the pros or corporate sport are primarily organized for entertainment and profit.

The entry level of sports, the elementary and high schools should, I maintain, primarily be recognized as a resource designed to contribute to the educational mission of the schools.

There is some confusion as to the purpose of school sport and to address that issue, our institute is convening a June meeting of district school offices. While I insist that their purposes are different, or in my opinion should be, the various organized levels of sport, school, college and professional, have an interdependence.

The perceived or reported ills of college athletics that include irresponsible behavior and poor grades by college athletes clearly have their beginnings in the elementary, high school and communities which nurture them.

It is understandable that college administrators provide support and special counseling for incoming students, some of whom are athletes. By doing so, college people are addressing only a part of the difficulty.

To change behavior and academic performance of college freshman, it is necessary to offer educational support at the elementary and high school levels in addition to the college support.

In my view, a generally unused approach to the solution for the problems of college athletic programs begins with a cooperative relationship between these entry level schools and the postsecondary institutions.

Mr. Samuel Husk, who is executive director of the Council of the Great City Schools, stated in a letter encouraging superintendents to support our June conference.

"I think that all of us want athletes who come from our inner city schools to finish college with academic as well as sports honors. We must build the foundations for that to happen in our elementary and secondary academic and sports programs. If urban education is silent on this issue, then who will speak."

There are examples of colleges and high schools and elementary schools working together for the benefit of students that each seeks to serve. It is reasonable for a similar arrangement to be forged be-

tween the athletic providers on the entry level, that is the elementary and secondary schools, and the postsecondary level.

I mean that high schools should be aided to become better high schools. It is the task of elementary and high schools to prepare student athletes capable of meeting the standards set by the colleges, but they do need help.

I think the Student Athlete Right to Know bill is an excellent idea and could be most useful. Recruiting will never be even, but this bill will help. Parents, of course, have the prime responsibility in all manners dealing with their children including education and athletics.

Most parents are ill-equipped to deal with persuasive recruiters. This bill is clear and direct and an excellent way for parents to start a conversation on a more equal footing with college representatives.

The generic word "sport" describes a phenomenon that must be clarified in terms of school, college or the professional ranks. Moreover, each noted distinction has a different purpose and mission.

I argue that for the sake of the common good, athletics must be seen as something beyond final scores or league standings; that it is rather viewed as a forceful educational tool.

The life style of this country, particularly in large cities, is being endangered because in addition to the scourge of drugs, a large segment of the population can neither read, write, compute or communicate.

The most appropriate answer is education. Too few people understand that in sport, a subsystem of the school is present that can be a forceful educational tool. With proper leadership, athletics can motivate and contribute to school success far beyond the number of athletes competing.

Having said that I support the bill, I would add that I view it as a useful device that offers validity to the term student athlete. Lasting correction of problems related to admissions and behavior of college athletes must take place at the elementary and high school levels.

Parents, school administrators, coaches, community and yes, groups such as the Institute for Athletics and Education must prepare their children to successfully function in life, including that of college athletics.

Thank you.

[The prepared statement of Dr. Larry Hawkins follows:]

STATEMENT OF LARRY HAWKINS, PRESIDENT,

INSTITUTE FOR ATHLETICS AND EDUCATION

before the

SUBCOMMITTEE ON POSTSECONDARY EDUCATION

COMMITTEE ON EDUCATION AND LABOR

UNITED STATES HOUSE OF REPRESENTATIVES

MAY 24, 1989

Good Morning Mr. Chairman, Congressman Hayes and Members of the Committee. I want to thank Congressman William for inviting me to appear before you, as a member of Congressman Hayes Education Committee. I know of his deep interest in matters having to do with education and I am grateful to him for his consistent support.

I should point out at the outset that my frame of reference and specific area of interest is somewhat different from most of the other speakers who will appear before you. I am a high school coach in the Chicago Public School System who, in the jargon of the military, is on TDY at the University of Chicago, as the Director of the Office of Special Programs. This concurrent arrangement has existed for twenty years. In addition, currently I serve as President of the Institute for Athletics and Education (IAE) a National Organization headquartered in Chicago with members groups in 25 States and The District of Columbia.

The Institute, founded in 1972, is affiliated with the University of Chicago, and a local community service organization, Big Buddies Youth Services, Inc. It sponsors activities supporting the philosophy that school sport should reinforce the goals of elementary and high school education.

I am most grateful for the opportunity to offer my understanding of the present world of athletics and how it relates to education and the grave issues facing our country. Good, solid, hard competition in the arena, in which all energy is focused on beating the opponent to the ball is exciting. Most of us know this feeling from the playground park or in the high school gym. There is ample evidence that few will compete on the college level, fewer still beyond the postsecondary school level. And yet, there is a tendency to understand "Sport - Athletics - The Game" as some kind of homogeneous mass. It is not.

The Colleges (Division I) and the Pros are primarily organized for entertainment and profit. The entry level of sport - the Elementary and High School should, I maintain, primarily be recognized as a resource designed to contribute to the educational mission of the schools. Admittedly there is some confusion as to the purpose of schools sport. (To address that issue the IAE will convene a meeting of school district officers.)

While I insist that their purposes are different, or in so much as they should be, the various organized levels of sport - school-college - professional have an inter-dependence.

The perceived or reported ills of college athletics that include irresponsible behavior, and poor grades by college athletes - clearly have their antecedents in the high schools and communities which nurture them. It is understandable that college administrators provide support and special counseling for incoming students, some of whom are athletes.

But by doing so, college people are addressing only a part of the difficulty. To change behavior and academic performance of college freshman, it is necessary to offer various kinds of educational support at the elementary and high school levels, in addition to college support.

In my view, a generally unused approach to the solution for the problems of college athletic programs begins with a cooperative relationship between the elementary schools, high schools and the post-secondary institution.

Mr. Samuel Husk, Executive Director of The Council of the Great City Schools stated, in a letter encouraging school superintendents to support our June conference. "I think that all of us want athletes who come from our inner city schools to finish college with academic as well as sports honors. We must build the foundation for that to happen in our elementary and secondary academic and sports programs. If urban education is silent on this issues, then who will speak."

Once we understand the distinction among the levels of sport, we are better prepared to move into cooperative projects and programs. There are existing programs. Project Upward Bound comes to mind, as a representative educational model. The National Youth Sports Program (NYSP) represents a sports model.

Thus, there are examples of colleges and high schools and elementary school working together, for the benefit of students each institution seeks to serve. It is reasonable for a similar arrangement to be forged between the athletic providers on the elementary, secondary and postsecondary levels.

The sense of what I mean is that high schools should be aided to become better high schools. From the colleges, and the corporations and businesses that cater to sport and the young, I would ask for funding, use of facilities and staff. It is the task of elementary and high schools to prepare student-athletes capable of meeting the standards set by the colleges, but they do need help to expand the program to reach more boys and girls.

The colleges and universities that produce the coaches for young athletes might review their curriculum. The coach must become a genuine "teacher-coach" not a career coach waiting to move on to the college or pro level. Through training or retraining, they must be provided with certain counseling, public relations techniques, and the understanding that their primary goal is the development of student-athletes socially, educationally and culturally.

Sport is defined, right or wrong, by the media. Ideally, they would cover school sports in a fashion that would single out

teacher-coaches and schools that have programs aiding student-athletes to excell academically. Unfortunatly this is not the case. More likley the most sensational new item will carry the day.

I think the Student-athlete Right to Know Bill, is an excellent idea and could be most useful. Recruiting will never be "even" but this bill will help. I particularly like the item that forces the recruiter to be in touch with the high school. For among Chicago's many schools, every year someone will have a Division I player. The Bill would be of great help to high school counselors. A recruiter would be unwise to be dishonest any one year for a few years down the line he may want to return to talk with a kid from the school he offended.

Of course parents have the prime responsibility in all matters dealing with their children - including education and athletics. Again in Chicago, like many other cities most parents are ill equipped to deal with persuasive recruiters. This Bill is clear, direct and an excellent way for a parent to start a conversation on a more equal footing with a college representative.

The generic word "sport" describes a phenomena that must be clarified in terms of school, college or pro. Moreover, each noted distinction has a different purpose and mission. I argue that for the sake of the common good, athletics must be seen as something beyond final scores or league standing, rather - a forceful educational tool.

For those in my generation, the memory of total mobilization during World War II is most vivid, and to me, an excellent parallel for looking at sports. Everyone joined in the effort to defeat the forces that would destroy America. Sports is one response to a similar crisis.

In truth, the life style of this country, particularly in large cities, is being endangered because, in addition to the scourge of drugs, a large segment of the population can neither read, write compute or communicate. The danger is real. The most appropriate answer is "education". Too few people understand that in sport, a sub-system of the school is present that can reduce the threat to urban education. The work of prominent researchers confirms empirically what I have learned anecdotally, that with proper leadership athletics can motivate and contribute to school success far beyond the number of athletes competing.

I have no problem with the NCAA's demanding evidence of academic preparation from entering athletes. However, I suggest that

not withstanding the argument over the positive or negative impact, the attention generated by Proposition 48 and Proposal 42 has provided a lever to encourage students, parents, school officials, and community agencies to work harder to better prepare students to meet all conditions of Proposition 48.

I have never met a competitive basketball player who didn't believe that every time he took a shot, the ball was going in. It may not, but he thought it was going in. In discussing classroom work or testing, the same youngster too often is willing to settle for a "D" or freeze up when the subject of test scores are mentioned. I am convinced that half the battle to raise test scores is a question of self-confidence on the part of the student, with whatever balance remaining represented by sound teaching. The student must believe that those test scores of 700 on the SAT (Standard Aptitude Test) or 15 on the ACT (American College Test) are as attainable just as he believes that shot will go in.

Having said that I support the bill, I would add that I view it as a useful device that offers validity to the term of student-athlete. Lasting correction of problems related to admission and behavior of college athletes, must take place at the elementary and high school level. Parents, school administrators coaches, community and vet - groups such as the lae - must prepare their children to successfully function in life, including that of college athletics.

Thank you.

Chairman WILLIAMS. I must apologize to our remaining two witnesses. We are going to have to recess for five or ten minutes while a vote, which is now ongoing, occurs. We will return in about ten minutes. Thank you.

[A short recess was taken.]

Chairman WILLIAMS. Again, Dr. Hawkins, we thank you for your testimony. Our next witness is Dr. Richard Lapchick, director of the Northeastern Center for the Study of Sport in Society located, I understand, in Boston.

Doctor, it's nice to have you with us.

Dr. LAPCHICK. Thank you for inviting me, Mr. Chairman. It's a pleasure to be here this morning.

Like other people who have testified, I think that the greatest problem that we're facing today is that many of our institution of higher education simply aren't delivering their end of the contract; the educational promise to those athletes in exchange for their prowess.

In hearing many of the proposals today as well as dealing with many proposals in the past, I wanted to put on the record in my written testimony what I consider the second greatest problem; that is, that our institutions of higher education aren't hiring minorities in anywhere near the proportion in college coaching jobs, athletic directors jobs, anything to do with the athletic administration.

We've heard so much in the past few years since Al Campanis went on Nightline about the problems in pro sports. Well, the numbers in the college level are even less than they are in pro sports. That's in my written testimony.

What I wanted to focus on today is the fact that all of the solutions that we're talking about are costly solutions. They cost dollars and that shouldn't be any surprise. What we're talking about is a sports industry that has a gross national product of $50 billion.

We're talking about a sports industry that gets richer and richer. What I'd like to suggest this morning is that we form, in effect, an academic marshall plan, an academic endowment superfund that comes from the profits of the various levels of sport in our society.

I'd like to emphasize that I'm not indicating that any of these people or organizations should contribute as a result of guilt, but in forming a partnership to solve the problems that have been with us not only in this decade but for many decades before us in college sports.

As has been mentioned, the NCAA has already created a $500,000 a year fund from its men's basketball championship to bring student athletes back. This is clearly a step in the right direction, but it's totally inadequate.

Professional leagues have become the recipients of Peter systems from college sports, particularly in basketball and football. We feel that they, particularly the NBA and the NFL, should contribute to this academic endowment superfund to the tune of one academic scholarship to this superfund for every professional who signs a contract in the league.

That would be 50 rookies a year in the National Basketball Association. That would be 150 rookies a year who are drafted and stick in the National Football League. If the value of such a scholarship

is pegged as Sports, Inc. magazine had pegged it at $40,000 over four years, that would contribute a total of $8 million to the superfund.

That has to be put in perspective that simply the television revenues from those sports are $1,773,000,000. So $8 million is a very small percentage of this. In addition, we feel that each team should pay the tuition of all its athletes who haven't graduated.

The question is, would it work? Would the athletes go back to school? Part of what the center does is form a consortium of universities around the country bringing, in some cases, pro-athletes back to school to complete their educations.

As an example, the National Hockey League pays the tuition of its players. We have 112 National Hockey League players enrolled in the consortium around the country, fully 26 percent of the players in the league.

We sell $3,300,000,000 worth of tickets to sports events a year. A simple tax of 1/10 of 1 percent would add $3,300,000 to this superfund. Network television showcases sports more than any other program, and advertisers pay $3,623,000,000 to advertise on those sports programs.

We'd like to call on NBC, ABC, CBS, ESPN and the sports superchannels to donate 1/10 of 1 percent of all advertising dollars to the superfund. That would add another $3,623,000.

Corporations utilize athletes to sell their products and sponsor sports events in their names. We hear about corporate responsibility in other areas of our society, and we'd like to call on these corporations, particularly sports manufacturing companies to give something back to the sports world.

Those sports manufacturing companies make $16,278,000,000 on selling sporting goods in this country. If they donated 1/10 of 1 percent, that would be another $16,278,000.

When we think of sports agents, we think of Walters and Blooman. We think of men taking advantage of naive young men. Being an agent is certainly a lucrative industry as indicated by the fact that there are 11,000 registered agents in the country and only 3,000 people that they can represent in professional sports.

There must be a reason so many people have jumped into that game. Yet, most agents tell us that they represent reputable firms trying to help these young people. So we would like to propose to agents that they do two things.

First, any player that they sign has an educational incentive clause in their contract; that if they go back to school, they would receive additional salary bonuses in the same way that if a player wins 20 games, he would receive an incentive bonus in major league baseball.

Second, the agents donate 1 percent of their fees to the superfund. That would amount to an additional $364,000 annually. The athletes themselves bear a special responsibility for the few who beat the double jeopardy odds and make it to the pros and get a degree.

Those odds are 30,000 to 1 that a high school athlete will make the pros and get a college degree at the same time. We feel that they should become role models for other athletes and donate 1 percent of their professional salaries.

The average salary across the board in professional sports is $293,800; 722 of the some 3,000 pros have degrees. That would add an addition $2,121,000 to this fund. It is very difficult to calculate, as you've heard from the testimony of presidents and people from the NCAA, what universities and colleges earn from their athletic programs.

If we simply add gate receipts and television revenue, most programs would lose money. However, there are other ways to figure it. It is estimated that an industry that didn't exist five years ago, that is licensing, now nets college sports $1 billion a year.

We'd like to see 1 percent of those licensing revenues go to that superfund and also to have those colleges and universities guarantee that they will bring back their own student athletes who come there on a scholarship in a revenue sport and do not complete their education to be able to finish that degree at the expense of the university.

We'd like to call on all of the NCAA Division I schools to join the 39 universities that are now in this consortium doing it around the country. Would it work, more than 350 NCAA scholarship athletes have come back.

The net and conclusion of this fund would be $49 million annually collected if it were able to do this. In exchange, we would like to ask in conclusion that the superfund also sponsor a sports ethic corps; in effect the peace corps of those athletes who return to college to complete their degree or ask to give something back, to go into the communities to talk to high school and middle school students about not getting swept away with a sports dream, to maintain their interest in education at the same time that they pursue their sports dreams.

Thank you very much, Mr. Chairman.

[The prepared statement of Dr. Richard Lapchick follows:]

THE ROLE OF ATHLETICS IN COLLEGE LIFE: PROPOSALS FOR ENHANCING THE LIVES OF BLACK STUDENT-ATHLETES

Richard E. Lapchick
Director, Northeastern University's
Center for the Study of Sport in Society

COMMITTEE ON EDUCATION AND LABOR
SUB-COMMITTEE ON POST-SECONDARY EDUCATION
May 24, 1989

A staggering 54 percent of the respondents in a major national opinion poll believe that college sports are overemphasized, that academics are neglected and that illegalities are common.

With American public opinion of college sport already at a seemingly all-time low, the wide-ranging debate initiated by Proposition 42 and the dramatic protest against it have made the issue of race the central ethical issue regarding college sport in 1989. Coming under scrutiny are the facts that black athletes are the objects of low academic expectations (only 31 percent of the black athletes in the 1989 on the black athlete NCAA study said their coaches encouraged good grades), are not receiving the education promised by colleges (graduation rates for black athletes are siginificantly less than for whites), and have few black coaches or faculty members to model themselves after on campus.

The 1989 NCAA study presents a wealth of data. Yet the facts that black athletes feel racially isolated on college campuses, are overrepresented in football and basketball, have high expectations of pro careers, and are uninvolved in other extracurricular activities, did not surprise most close to college sport.

The results of the NCAA study also stand in stark contrast to a forthcoming study on minorities in high school sport which establishes that in comparison to black non-athletes, black high school athletes feel better about themselves, are more involved in extracurricular activities and the broader community, aspire to be community leaders and have better grade point averages.

The primary question which now must be asked is what happens to the black athlete between high school and college that seems to totally change how he perceives himself? Among the early responses is that he leaves a high school that is either overwhelmingly black or at least is partially integrated; if he is from an urban area he leaves behind a core of black teachers and coaches; if he lives on campus or goes to school away from home then he leaves behind whatever positive support network existed in the community he was raised in and he leaves behind possible black role models who weren't all athletes.

He arrives in college to discover that the proportion of black students on the predominantly white campuses is only 7%; that only 1.56% percent of the faculty positions at colleges and universities is black (7,356 faculty positions out of 470,673); and that the athletic department hires just slightly more blacks than the faculty and actually hire fewer blacks than are employed in pro sport.

A great deal of emphasis has been placed on racial discrimination in professional sport, especially the hiring practices of professional franchises. However, a look at the numbers of positions which could be available in our colleges and universities shows us that there are far more problems as well as far more possibilities there than

in the pros.

A look at our 278 Division I, IA and IAA programs (excluding the historicall black schools) reveals a root cause of the isolation black student-athletes feel on college campuses.

In the 1988-89 academic year, only 40 (3.4%) of 1,165 Division I head coaching positions in men's and women's basketball, football, track and field and baseball were held by blacks. That was actually down from 47 in 1987-88. These are the sports that blacks participate in most frequently. Five percent of the head coaching jobs in the NBA, NFL and Major League Baseball are held by blacks.

According to the Black Coaches Association, less than 200 (5%) of more than 4,000 assistant coaches in these sports are black compared to nearly 13% in the pros.

While 3 percent of pro general managers are black, less than 1 percent of college athletic directors are (2 of 278 or.007%). Black-held positions in pro front offices run between 6 and 10 percent while less than 1 percent of college positions of assistant and associate athletic directors, business and ticket managers, sports information directors, and trainers are held by blacks

Statements that there simply aren't enough jobs available for blacks in coaching or the athletic departments are belied by the numbers. There are 800 NCAA members in all divisions with an average of 15.5 teams per school. That is 12,400 teams. NCAA teams have an average of 2 assistants per team. The NAIA has 503 members with an average of 7.66 teams per school and 1.5 assistant per team. There are 550 NJCAA schools with an average of 6.52 teams per school and 1 assistant coach. A conservative estimate is that there is an average of 10 non-coaching positions per school in athletic departments at all levels.

	members	#teams	# head coaches	# assistant coaches	#AD's	# athl. dept pos
NCAA	800	12,400	12,400	24,800	800	8,000
NAIA	503	3,853	3,853	5,780	503	5,030
NJCAA	550	3,586	3,586	3,586	550	n/a
totals	1,853	19,839	19,839	34,166	1,853	13,030

Excluding NJCAA athletic department employees, that means there are approximately 68,868 college sports-related jobs compared to less than 7,500 for the 76 pro teams in the NBA, NFL and Major League Baseball. When so very few are held by black Americans, there should be little wonder when the black student-athlete feels isolated on campus.

If there is to be a more promising future for the black athlete, then more black coaches and assistants will have to be hired.

The NCAA has appointed a task force to address this issue. Nonetheless more must be done.

UNIVERSITY HIRING PRACTICES

-more blacks must become college presidents and athletic directors at schools that have major programs.
-head coaches need to be hired in all sports, not "black sports."

-expect more coaching representation at the level of assistants, and their primary role as recruiting black athletes must be expanded
-need to support the Black Coaches' Association
-need to strength NCAA vita bank for minorities and women
-Sports Information Director's must be more sensitive to media stereotypes of minorities and work with the press to change these

THE COACH AND THE RECRUITING PROCESS

-The president must get involved to develop recruiting procedures to ensure that the prospective student-athletes brought to campus have a legitimate chance to graduate from our institutions.
-The coach must consult with admissions office to see if the athlete can make it? The coach needs a real evaluation of academic potential of recruit; if the recruit is borderline, the coach must be able to assure that sufficient academic assistance be available; if the recruit is beyond borderline, the recruiting process should stop.
-The coach must recruit openly regarding the school's academics: discuss graduation rates that are sport, race and sex specific; discuss what previous players are doing after graduation; and discuss this recruit's academic potential.
-The coach must state policies to players on academic and public expectations for players and inform the potential recruit that any athlete found guilty of accepting an illegal inducement from a coach or athletic representative will become immediately ineligible for the duration of his college career.
-The school should eliminate the one year scholarship rule. The system demands a 4 year committment from the athlete and penalizes the athlete for leaving. The school should have the same obligation.

ACADEMICS

The overall message to the players has to be that the school will provide special attention to its student-athletes to assure their academic preparation; however, in exchange for this it will be expected that student-athletes will fulfill the same academic requirements as all students.

Philosophically the school must emphasize the student in student-athlete - not only their class attendance and graduation rates - but also the quality of their educational experience. Student-athletes must also be encouraged to value education, not simply eligibility.

1. COURSES OF STUDY AND SPECIAL ACADEMIC PROGRAMS

-athletic scholarship recipients who are defined as being "at risk" academically should be required to attend a six week orientation program at the school prior to their freshman year. Academic and counselling evaluation of the educational needs of incoming scholarship athletes. Intensive workshops dealing with study skills, reading and writing skills, use of the library and basic computer skills could be presented during this period.
-a year-round freshmen adjustment program should be available for all freshmen student-athletes.
-all student-athletes should have the benefit of an annual seminar dealing with issues they will face including academics, career counselling, injuries, drugs (recreational and performance enhancing), race relations, and other relevant topics. The topic of race in particular can help the team members learn about attitudes and perceptions that, if addressed, can help build team unity.

ii. ACADEMIC SUPPORT SERVICES

-academic support services must be available including academic advisement, tutors and counselling.
-services provided should work towards integrating student-athletes into the academic life of the university rather than furthering their isolation as a subculture that lies outside the mainstream of the university by creating an integrated system of services that encompasses both the resources available to all students and a set of services based in the athletic department which are designed to supplement those resources.
-academic guardians from the regular faculty could be identified to stay in touch with players as a source of encouragement and guidance.
-better career counselling must be offered as black athletes have been told by the media, guidance counselors and coaches that sports is the way out, the way to fame and fortune (44 percent of black college football and basketball players at predominantly white colleges expected to become pro players). Since less than 1 in 200 will, these student-athletes must take legitimate majors so they can apply those studies in the job market.

iii. ACADEMIC MONITORING POLICIES

-make sure the player is going to class; if there is a problem, the best way to solve it is for the coach to suspend game participation.
-coaches should stay in regular touch with families on all athletic and academic progress so the player's family will stay involved. Care must be taken not to violate federal legislation governing privacy.
-scholarship athlete's academic progress should be closely monitored by the school's academic advisors. Credits must be evaluated regularly. They must be real and not for eligibility; evaluation should be made of what courses athletes are taking and what their career interests are; advisors should function as the athlete's ombudsmen.
-reasonable progress should be maintained - beyond NCAA requirements - so student-athlete will be as close as possible to graduation after eligibility has expired.
-Summer school should be available to stay on graduation track.

iv. CREATING A CONDUCIVE SOCIAL ENVIRONMENT TO REDUCE THE IMPACT AND EFFECT OF THE ATHLETIC SUBCULTURE

-coaches should be models to both the community and to players in hiring and social relations. If the black players see the coach hiring and socializing only with whites then they will feel further isolated. All associations with exclusive social clubs should be terminated.
-scholarships should be given out in all sports since now, according to Harry Edwards, only 10 percent of scholarships go to black athletes and those are almost exclusively in football and basketball.
-athletic dormatories and /or separate eating facilities should be eliminated.
-team housing, road trips and meals should be integrated.
-athletes should be encouraged to be involved in university-wide social and academic student activities.
-minority athletes should be encouraged to deal with their own interpersonal relationships with the student body when they are away from the team.
-players backgrounds should be checked so racist players are not recrited. Family visits are imperative.
-advise athletes to take responsibility for their own affairs, both academic and social. They should conduct their own business.
-encourage student-athletes to participate in summer internship programs to gain real world experience.

-ask student-athletes to give something back to young people by participating in educational and drug outreach programs in area schools. This will help prepare future generations of student-athletes and reinforce educational values in the athletes who do the outreach.

ii. ATHLETIC SCHEDULING POLICIES DESIGNED TO BENEFIT ACADEMIC ACHIEVEMENT

-freshmen should not count on playing as a freshman either by eliminating freshmen eligibility or by informally letting them know this is the coach's policy. The result is a happier player who gets into the spirit of his team and his school while getting the opportunity to allow adjustment to college academic and social life. The elimination of freshmen eligibilty would end the eternal tag of "Prop 48 student" which increasingly has a racial connotation.
-Restrict the number of games in season (for example: football -10;basketball - 25 plus post-season; baseball - 40 plus post-season, etc.).
-Athletic activities should not be scheduled on campuses in prime class time between the hours of 7:30 a.m. and 1:30 p.m. Students would not be excused from class to attend or participate in these activities.
-Travel shall not include more than two class days away from campus.
-No away games (preferably no games at all) during final exams week.

v. POST-ELIGIBILITY DEGREE COMPLETION SUPPORT
-scholarship athletes should be allowed to retain their athletic scholarships, including housing, meals and books, for a period of time after they complete their athletic eligibility
-former athletes who came to a school on a scholarship in a revenue sport in the previous ten years period who have not gotten their degree but have used their eligibility may need help. They should be able to return to complete their education at the expense of the university in exchange for community service by the athletes. This policy should be only for athletes who have left the school so as not to be a disincentive for current student-athletes to complete their educations as soon as possible. Thirty-eight colleges and universities are now doing this through a Consoritium established by the Center for the Study of Sport in Society.
- in all cases where athletes are receiving a continuing chance to complete their educations, controls should be built in that require the athlete to take a specified number of course hours and maintain a certain grade point average to retain the scholarship.

BETTER REPRESENTATION FOR THE ATHLETE
-create an athletic council on each campus to advise president and the athletic director in the creation and administration of programs and to assist in evaluating programs. The council should include: the president, the athletic director, athletes (to present student-athlete point of view); non-athletes (to present student point of view, which frequently is very different and to create dialogue); selected coaches and faculty members, academic assitance administrators, a business leader and a parent. It should be racially and sexually diverse.

CONCLUSION

Most of the recommendations mentioned here would help both black and white student-athletes. The recommendations are all drawn from the forthcoming RULES OF THE GAME: ETHICS IN COLLEGE SPORT. Most are common sense and would not be costly to implement but could result from retooling existing campus programs.

There will be people who will maintain that athletes should not receive special treatment. While the emphasis of most of the recommendations is to integrate the student-athlete into the mainstream of the school both academically and socially, athletes do deserve special treatment.

Universities bring the athletes there with the expectation that they will give between 20-60 hours per week of their time to their sport. They deliver to the school excitement, entertainment, student interest, and frequently increased revenues from tickets, TV, licensing, and alumni donations. This is especially true of the black athlete who is overrepresented in the revenue sports. The athletes deserves special treatment.

However, that special treatment has frequently meant the exemption from academic preparation. What we must deliver instead is the assurance of academic preparation. Above all else, we must ask as much of our student-athletes as we do of all students. The results of various no pass, no play rules in high schools and Prop 48 in college prove that when we do ask more academically of our athletes they will do more and rise to the level of expectations. Sometimes they need support to be able to do so. Programs such as those mentioned will help them achieve the new goals. Our institutions of higher education will have been delivering their end of the bargain and the ultimate winner will be the student-athlete who will leave school with an education assuring real options in the real world.

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Chairman WILLIAMS. Thank you. Dr. Milburn is president of the National Association of Academic Advisors for Athletes out of Louisville, Kentucky. Doctor, it's nice to see you here today.

Dr. MILBURN. Thank you. It's a pleasure to be here, Mr. Chairman and members of the subcommittee.

I'm pleased to be able to offer information concerning the role of academic advisors for athletics as it relates to the environment of intercollegiate athletics and more particularly to the lives of student athletes.

As president of the National Association of Academic Advisors for Athletics, I represent over 350 members nationwide who work at a wide variety of institutions of higher education ranging from NCAA Division I universities to two-year schools.

These members are engaged on a daily basis in the academic support of the students who participate in intercollegiate competition. We are first and foremost advocates for the academic welfare of student athletes.

Many of us are charged with ensuring compliance with institutional athletic conference and NCAA academic regulations as well as others. In many cases, I feel that academic advisors are in the best position to really know students and to understand their problems.

Often, we develop different types of relationships and have greater insight than the coaches have. Student athletes, as you would expect, cover the entire spectrum of academic ability from the brilliant and highly motivated to the poorly motivated who are barely able to read the most basic of material.

Unfortunately, too often, these students are a population that must be protected from themselves. Poor academic backgrounds or motivation combined with the heavy demands of athletic participation often lead to trouble.

Misplaced priorities and values that have academic achievement in a lower status than other endeavors are challenged to academic advisors. The problems occur when an institution or a coach allows this kind of thinking to go unaddressed or at worse reinforces or encourages it.

Make no mistake, however, exploitation is a two-way street. Many student athletes are using colleges and universities merely as a means to other ends, some of which have nothing to do with education.

There are many factors that contribute to the difficulty student athletes face in balancing athletic participation and a serious attempt at a college education.

Included among these are some that we've already heard today, but more specifically a lack of sufficient time for some students, the heavy physical, psychological and time demands of athletics, poor academic preparation for college, unrealistic career expectations, misplaced priorities by students, coaches and administrators, lack of adequate academic support services by some colleges, and student lives that are too structured with no emphasis on self-responsibility, decision making skills or involvement in their own learning.

While there is no one set of answers or any easy answers to problems in intercollegiate athletics, the following are offered for con-

sideration as possibilities for restoring some of the balance between athletic participation and the academic enterprise.

Number one, reduce the amount of practice time per day. Number two, limit the total number of hours of athletic involvement per week. Number three, reduce the number of contests or the length of season in some sports.

Number four, give students who lose a year of eligibility to Proposition 48 the year back if they earn it. Five, require all athletic departments to designate a certain fixed percentage of their budgets to academic support services.

Six, the NCAA should review academic support services at individual institutions. They should also require coaches to hold advanced degrees and be hired in a similar manner to faculty. Finally, they should grant coaches tenure after a certain period of time.

Now the real solution to academic problems for student athletes in intercollegiate athletics centers around the integrity and ethical orientation of the institution itself. If the purpose of higher education is to train leaders for our society and to inculcate in them the highest values that we know, than we had better make the decisions and take the necessary steps to do just that.

The coach is the single person who can take the responsibility for insuring that this staff—the coach is in charge of the program and controls many of the variables that affect the student's life.

The coach may be the major reason that that student is at that particular institution in the first place and can bring incalculable influence to bear on the student's behavior.

Freshman ineligibility is not the answer, in my view. We should not punish, restrict or limit the good students who can and will balance the demands of athletics and academics just because of the misfortunes of some who perhaps should not have been in college in the first place.

Rather, we should ensure that support services are in place to assist the at risk students and build the opportunity for them to succeed as both student and athlete into the way we manage our athletic programs.

Now graduation rates are an indicator, but they are only one indicator of the academic experiences of student athletes at an institution. This bottom line production type of mentality is not necessarily consistent with the all too human subjective field of education.

I would hate to see graduation rates become part of the competitive picture where one institution would be competing with another one. That could foster abuses that we haven't even thought of yet.

Many of the problems identified for student athletes are not unique to that population. Many institutions, as a part of their mission, admit academically marginal students. While athletes are different than other students, efforts should be made to ensure that they are not held accountable to different standards than other students or discriminated against merely because they are student athletes.

I hope that the information I've provided here provides some insight and some food for thought for those who will consider. As mentioned previously, it's not an attempt to address all the prob-

lems of intercollegiate athletics but rather to focus on a restoration of balance between athletics and academics from the perspective of the professionals who try to do that on a daily basis.

One thing, however, is assured. Only when college administrators and coaches assume responsibility for the ethical conduct of athletic programs with the primary focus on the education and development of young men and women will any of these problems ever be resolved. Thank you very much.

[The prepared statement of Dr. Steve Milburn follows:]

Testimony Presented To

The Subcommittee on Postsecondary Education

of the

Committee on Education and Labor

U.S. House of Representatives

on

May 24, 1989

by

Steven D. Milburn

Director of Athletic Academic Services
The University of Louisville

and

President
The National Association of Academic Advisors for Athletics

Introduction

I am pleased to be able to offer information concerning the role of academic advisors for athletics as it relates to the environment of intercollegiate athletics and, more particularly, to the lives of student-athletes. As President of the National Association of Academic Advisors for Athletics, I represent over 350 members nationwide, who work at a wide variety of institutions of higher education ranging from NCAA Division I Universities to two-year schools. These members are engaged, on a daily basis, in the academic support of the students who participate in intercollegiate competition. As president, I speak for our professional association and have made a great deal of effort to make my remarks reflect the general consensus of our membership. However, my comments may not necessarily reflect the opinions or ideas of individual members.

The National Association of Academic Advisors for Athletics, or N4A, is a professional organization whose purpose is to cultivate and improve the opportunities for academic success for student-athletes in universities and colleges by providing informed, competent, and holistic advising; to enhance communication between the academic and athletic communities while serving as a liaison between those communities; and to continue to elevate the status of academic advising for athletics as a profession. In doing this, we provide advising, counseling, testing, tutoring, learning skills strategies, study halls, academic information, assessment and a host of other services to student-athletes to assist them in attaining academic goals.

We are, first and foremost, advocates for the academic welfare of student-athletes. Many of us are charged with ensuring compliance with institutional, athletic conference and NCAA academic regulations as well as others. We are a source of information for students and coaches. This information is obtained by monitoring the academic progress of students in both individual classes and as they advance in their degree programs. Persons in this capacity have been trained as counselors, teachers, college student personnel professionals, and many other areas of education. Almost all of us hold advanced degrees and many come from the faculty. Advisors may report through academic affairs, student affairs or the athletic department, but whatever their organizational structure or title, the function is essentially the same.

Student-Athletes

In many cases, Academic Advisors are in the best position to really know students and to understand their problems. Often, we develop different types of relationships and have greater insight than coaches. Student-athletes cover the entire spectrum of

academic ability from brilliant and highly motivated to the poorly motivated, barely able to read the most basic of material.

Unfortunately, too often these students are a population that must be protected from themselves. Poor academic backgrounds or motivation combined with the heavy demands of athletic participation often lead to trouble. Misplaced priorities and values that have academic achievement in a lower status than other endeavors are a challenge to academic advisors. The problems occur when an institution or a coach allows this kind of thinking to go unaddressed or, at worst, reinforces or encourages it. Make no mistake however, exploitation is a two-way street, and many student-athletes are using colleges and universities merely as a means to other ends, some of which have nothing to do with education.

The Problems

There are many factors that contribute to the difficulties student-athletes face in balancing athletic participation and a serious attempt at a college education. Included among these are:

* A lack of sufficient time for some students
* The heavy physical, psychological and time demands of athletics
* Poor academic preparation for college
* Unrealistic career expectations
* Misplaced piorities by students, coaches and administrators
* Lack of adequate academic support services by some colleges
* Student lives that are too structured, with no emphasis on self-responsibility, decision-making skills or involvement in their own learning

This is certainly not an all-inclusive list, but rather categories that summarize many different problem areas that are as diverse and complicated as any and all of the issues in higher education generally.

Some Possible Solutions

While there is no one set of answers, or any easy answers to problems in intercollegiate athletics, the list below is offered for consideration as possibilities for restoring some of the balance between athletic participation and the academic enterprise.

* Reduce the amount of practice time per day

Many athletes are reported to spend six or more hours in a day on athletically related activities - including practice, film

viewing, classroom chalk talks, weightlifting and conditioning, team meetings, and many other time consuming concerns. This can pose problems for those students who have academic difficulty.

* Limit the total number of hours of athletic involvement per week

The well-documented amounts of time devoted to travel and practice are compounded by weekends or weekdays of game preparation that often consumes inordinate amounts of time.

* Reduce the number of contests or length of season in some sports

The problems vary from sport to sport, but basketball and baseball are two that come readily to mind.

* Give students who lose a year of eligibility to "Proposition 48" the year back if they earn it

If a student has made sufficient progress toward a degree and can graduate in the next academic year, then the fourth year should be restored. This only seems fair, and it sends the right message to students.

* Require all athletic departments to designate a certain fixed percentage of their budgets to academic support services

Many institutions already do this, but others do not. If athletic programs make heavy demands on the time and abilities of students they ought to compensate for it by providing them with a means to attain academic goals.

* The NCAA should review academic support services at individual institutions

If they are serious about promoting academic success, the NCAA should make academic support services a mandatory part of the compliance process and review what each school is doing to support and encourage its athletes.

* Require coaches to hold advanced degrees and be hired in a similar manner to faculty

Many coaches could benefit from formal academic training in education, behavioral sciences, physical education or some other graduate program of study beyond what they received in their undergraduate degree.

* Grant coaches tenure after a certain period of time.

In order to deemphasize winning at any cost, to reinforce the concept of athletics as a part of education, to place a value on the teaching aspect of coaching beyond the "bottom line" of victories attained, coaches should be given the same security afforded other faculty.

While these suggestions do not address all the problems in college athletics, they do offer some ideas about how to resotre some equilibrium between the committment to athletic excellence and the academic efforts and achievement of student-athletes.

Summary

At the basis of all this lies a single point: the real solution to academic problems for student athletes in intercollegiate athletics centers around the integrity and ethical orientation of the institution itself. If the purpose of higher education is to train leaders for our society and to inculcate in them the highest values that we know, then we had better make the decisions and take the necessary steps to do just that. Any efforts, conscious or otherwise, that detract from that mission or subvert the opportunity for young people to obtain the benefits of that purpose, cannot be tolerated.

The coach is the single person who can take the responsibility for ensuring that this happens. The coach is in charge of the program and controls many of the variables that effect the student's life. The coach may be the major reason the student is at that particular institution in the first place, and can bring incalculable influence to bear on the student's behavior. Academic integrity must start and end with the coach.

Freshman ineligibility is not the answer. We should not punish, restrict or limit the good students who can and will balance the demands of athletics and academics just because of the misfortunes of some who perhaps should not have been in college in the first place. Rather, we should ensure that support services are in place to assist the "at-risk" students and build the opportunity for them to succeed as both student and athlete into the way we manage our athletic programs.

Colleges must assume the responsibility for educating their student-athletes and quit trying to blame the high schools on one hand, while continuing to admit marginal students on the other. As the comic strip character Pogo so aptly stated "We have met the enemy and it is us!" Colleges must do their part to make sure no athlete suffers an educational disadvantage because of their participation in intercollegiate athletics. If there are easy classes or academically suspect courses or majors in the

curriculum that many athletes take, then do away with them. I know of no coach or athletic director who approves curricular offerings. It is up to the faculty and academic administrator to monitor course quality.

Graduation rates are an indicator, but only one indicator of the academic experiences of student-athletes at an institution. This "bottom-line" production type of mentality is not necessarily consistent with the all-too-human subjective field of education. I would hate to see graduation rates become part of the competitive picture. That could foster abuses that have not been thought of as yet.

One major point that needs to be addressed, is that many of the problems identified for student athletes are not unique to that population. Many institutions, as a part of their mission, admit academically marginal students. Students who are not athletes have unrealistic career expectations, misplaced priorities, poor time management skills, a lack of study skills and many other problems that seriously impact their ability to get the maximum benefits of their college experience or even earn a degree. Because of their high visibility, athletes are often held to a higher standard, scrutinized too closely or subjected to criteria that other students do not have to face. An athlete who fails to meet the minimum criteria established for initial eligibility is labeled as a "Prop 48 kid" and must carry that stigma throughout their career. While athletes are different than other students, efforts should be made to ensure that they are not held accountable to different standards than other students or discriminated against merely by virtue of being a student-athlete.

It is my sincere hope that the information that I have provided here provides insight and food for thought to those that will consider it. As mentioned previously, it is not an attempt to address all the problems of intercollegiate athletics, but rather to focus on a restoration of balance between athletics and academics from the perspective of the professionals who try to do that on a daily basis. One thing however is assured. Only when college administrators and coaches assume responsibility for the ethical conduct of athletic programs, with the primary focus on the education and development of young men and women, will any of these problems ever be resolved.

Chairman WILLIAMS. Thank you. Dr. Milburn, are student athletes being discriminated against under the current situation?

Dr. MILBURN. To some extent, I think they are. Here's one example: If a young man fails to qualify under Proposition 48, the minimum entry level rules, that young man will be labeled a Prop 48 kid for the rest of his career.

I heard it during the tournament this past basketball tournament season where students were referred to as Prop 48 kids over and over. That's a stigma that signals them out and something that they have to live with for the rest of their athletic career and perhaps even the rest of their lives.

I can see it now when somebody dies, they are going to refer to him as a one time Prop 48 kid.

Chairman WILLIAMS. Does a 5 1/2 month long NCAA basketball season discriminate against student athletes?

Dr. MILBURN. Yes, absolutely. It's too long.

Chairman WILLIAMS. Mr. Hawkins, what about the length of season; do you think that's injurious to students who happen to also be college athletes?

Dr. HAWKINS. I think it's particulary injurious to students who are in their first year because there's so many other kinds of factors that they have to take into consideration.

Of course, the problem for me particularly is worrisome because the expansion on the college or university level then falls down on the shoulders of those of us in the high schools.

We begin to have after school—the season begins to stretch out there. That's where we begin the problem of putting the athlete in jeopardy.

Chairman WILLIAMS. Dr. Lapchick, I think with some assureness I can speak not only for myself as chairman of this subcommittee but also for the majority of this subcommittee in saying that we appreciate your additional remarks about the lack of minority coaches in colleges and universities.

There is an obvious shame attached to that. What's the reason for it?

Dr. LAPCHICK. Well, I think what we see is that we have long held in the mythology of sports that sport is somehow a harbinger for change in society. When there are racial barriers in institutions all around the country, it's unrealistic to think that they wouldn't also exist in college sport.

What is surprising is with the tremendous number of athletes playing in college sport who happen to be black, that they don't have role models on those campuses which they compare to themselves either as faculty members or in the athletic department.

We're talking about 1,165 head coaching jobs in Division I colleges in the sports that blacks participate in most. That is men's and women's basketball, football, track and field and baseball. Out of those 1,165 positions, this year 40 were held by black Americans. To me, this is a disgrace.

At the assistant coaching level where we would think it might be a little easier for the colleges to appoint black assistant coaches, there are 4,000 positions in those sports and less than 200 according to the Black Coaches Association are held by black Americans. Both figures are far below what they are in professional sports.

Chairman WILLIAMS. There are, I suppose, many obvious reasons to have people from the various minorities within the United States working as recruiters, assistant coaches and coaches and teachers and professors, presidents of great universities.

Among those reasons, though, is that an American must find a way to fill its important jobs. Shortly after the turn of the century, which isn't far away, we're going to have to fill the many hundreds of thousands of jobs in this country.

The demographers down at the Census Bureau and elsewhere have informed the Congress that of all the jobs that have to be filled, only 15 percent of them will be filled by native born white males.

That means that we have to move much more dramatically than we have in the past in ensuring that minorities, women and, yes, immigrants are well educated and properly prepared to take their place in America's tomorrow, literally tomorrow, a dozen years away.

We aren't doing that and we aren't going to do it with this number of black and other Americans that are now in critical positions. There are many distinguished and qualified people, Americans, out there like Larry Hawkins and others who we need to tap if we're going to meet America's tomorrow.

Mr. Hayes.

Mr. HAYES. Thanks again, Mr. Chairman. Just a couple of questions, one directed toward Dr. Lapchick. It's often been said that "fools rush in where angels fear to tread." So I'm going to tread on that kind of soil for just one question.

Given the amount of money, as was pointed out earlier by Father Healy, the NCAA earns from the major revenue producing athletic programs and given the economic background many of the students who participate in these revenue producing sports, what is your reaction to the thought of paying some of these students for their contributions to the institutions; that is, paying them over what they receive in scholarship? What would be your reaction to that?

Dr. LAPCHICK. I'd like to react on two levels. First, I think that part of the problem of athletes taking illegal payments under the table, which has become so common on our campuses, is a net result of them not having access to living money and being able to have expense money that I think they deserve on the basis of the revenue that they are bringing into these colleges.

Yet, at the same time, there are people—and I don't think this was your suggestion—there are honest critics of sport who say that sport has become so hypocritical, why keep going with the hypocrisy; let's just have the colleges hire players and perform for them rather than go through the educational process.

For me, sports is one of the levers that we have for our young people that love to play sports to keep them in school, to keep them pursuing their academics. If that's the only way we might motivate them to stay in either high school or in college, then I would be very reluctant to offer them a job playing sports.

I would much prefer them getting this expense money that I alluded to first so they wouldn't have to cheat.

Mr. HAYES. In other words, maybe some form of additional compensation.

Dr. LAPCHICK. Yes.

Mr. HAYES. Some would at least shield them from the pressures they get to take additional monies to other undercover means; don't you think so?

Dr. LAPCHICK. Exactly.

Mr. HAYES. Now, Dr. Hawkins, there has been a lot of controversy as you well know over the use of standardized testing, especially as it relates to making college students eligible to participate in the intercollegiate sports.

Many people in and out of academia feel these tests to be culturally and racially biased. What is your response to this issue?

Dr. HAWKINS. They may very well be culturally biased, but they do exist. It's the coin of the realm and we must teach our young people to spend it. So it seems to me that the job is not so much to argue the worthwhileness of the test as long as the people who are making the decision insist on it, but to help our young people to prepare for it.

That's where I see the colleges and universities taking a hand in providing support and help for the young athletes who will move to eventually be prepared for this kind of work.

If we can look at testing as simply one measure—and I think someone has said that the only measure might not be testing, but it is one measure and one piece that we have to get by—then we have to look at using all the resources in our schools to attack that problem.

I think that a part of that attack should be the support—I think Dr. Lapchick has made the point that we have a whole corporate sports world that has the wherewithal to support this kind of activity. It's not being done and it should be.

Mr. HAYES. This may be directed to all three of you. What is the connection, if any, between the—I'm not clear on this—NCAA and the colleges and universities of these United States?

Is there any control that a major university, I should say, can exercise over the performance of the NCAA in terms of the rules they set out?

Dr. MILBURN. Well, the NCAA is a voluntary association of all the colleges.

Mr. HAYES. I know ostensibly; let's put it that way.

Dr. MILBURN. Right. Well, they all meet together in their annual conferences and basically vote, from what I understand, about a lot of legislation that most of them are not very familiar with.

So that's how we come up with things like Proposition 42 where people, after the fact, say oh, gee, I really didn't know what I was voting for.

They meet in an annual conference and the discuss legislative proposals that are brought by different member institutions and vote and pass them one time a year. Occasionally, they will call a special session. Isn't that basically your understanding, Richard?

Dr. LAPCHICK. Yes, it is. I think maybe more directly to what you might be looking for, I just finished a book with Dr. John Slaughter who is the former chairman of the NCAA president's commission. The books is on ethics and college sport.

Dr. Slaughter wrote a chapter on the presidential responsibility. He said very painfully that he pondered for months the theme for

his chapter was going to be where did we lose control; where did the presidents lose control of what is going on with their athletic departments.

He finally concluded that we never had control in the first place. We can see this when the momentum shifted from the NCAA president's commission in New Orleans in 1985 when the death penalty was put in place, when it looked like there was going to be a whole momentum for reform unfolding before us to the Dallas Convention of the NCAA president's commission two years later when the presidents were overwhelmingly defeated by their own athletic directors.

How you explain that to the general public, but don't the athletic directors work for the presidents becomes a little inconceivable. It's a system fairly much out of control I think.

Dr. HAWKINS. At the point where we speak about the NCAA in the sense of your question as I understand it, I think the control has to come from another arena altogether. We have to look at the people that do business with the NCAA.

I think we have to look at the people who provide the raw material that they use. Proposition 48 was put together with the colleges in making a decision without talking to any institution or any group that deals with high school or elementary school students.

The brunt of Proposition 48 is the kind of work we have to do. Sonya, one of my players, I have to spend a good deal of time making sure that she is prepared to go on to Division I to play volleyball, which she will and which I did.

I had no say in Proposition 48. Of course, Proposal 42 I am not really clear how that came to the table. The only way that we're going to have an opportunity to talk straight across the board and to bring the NCAA into a reasonable arena of discussion is for the colleges and the universities, the presidents, to take the stands that they take; then for them to open up their communications with high schools and their representative organizations and groups and elementary schools and their representative organizations and groups. That's just not done.

Mr. HAYES. Thank you very much, Mr. Chairman. I know what the red light means.

Chairman WILLIAMS. Thank you, Charlie. It means time out. Mr. Perkins.

Mr. PERKINS. Concentrating on the legislation that really is before this subcommittee this time, I heard testimony here this evening, or this morning or whenever it is—I guess it's this morning still—that indicated that some of you had some problems with the graduation rates being released to the individuals who were applying to the academic institutions.

What are the reasons for that?

Dr. MILBURN. Well, if you—in my view, if individual institutions are required to publicize what their graduation rates are, having been in this business for about seven or eight years and talking with people across the country, I sort of have a feeling that there will be some pressures brought to bear to ensure that student athletes go into academic majors or that degree programs are created where people can have success and then graduate.

I guess I would question some of the academic rigor and some of the intellectual honesty that might go into creating some of these programs merely to create artificial graduation rates so that then people will look like they are graduating a lot of their students when, in effect, they may not really be educating them or giving them a traditional college experience. I'm suspicious by nature anyway.

Dr. LAPCHICK. I would much rather see us competing over graduation rates than competing as to who makes the 64 teams that make the NCAA tournament. One of the things that the legislation, I believe, calls for is a specific breakdown of sexual reporting, racial reporting as well as the majors that those students take at those colleges.

So the information would be there in black and white if we knew that they were taking bogus majors. I think an incoming seventeen-year-old student who is being recruited from around the country has to know what that university has delivered in the past so that he or increasingly she can make an intelligent decision with their parents as to what school they would go to.

I want to emphasize that I would much rather see us competing for graduation rates than some other things.

Dr. MILBURN. I'm not personally opposed to reporting graduation rates except that I do think there are some problems inherent. Again, as I indicated in my remarks, graduation rates are one factor and there needs to be some other factors such as what are the support services available at a given university.

Is there an academic counselling program like we have at the Louisville? Are there people that are hired, tutors available, study halls, those kinds of things. Are those kinds of things in place to support the effort of a student?

Let's just not look at graduation rate at the end, but let's look at a whole wide range of other support services and options.

Mr. PERKINS. I'm interested in what you're talking about because it strikes me that the legislation as it stands right now is moving in a positive direction. Certainly, there may be other factors we have to look at.

I'm interested in knowing what legitimate opposition there would be to legislation that indicates that the information should be available, as you say, so you can pick on graduation.

Dr. MILBURN. Chancellor Massengale referred to privacy concerns of—in some sports, for example——

Mr. PERKINS. Privacy concerns, I can see some legitimacy, particularly in the small programs like basketball where you only have so many graduating per year. There could be some, but I think you have to balance that again against the entire situation.

Dr. MILBURN. Right.

Mr. PERKINS. Any other remarks?

Dr. HAWKINS. Just this particular comment once more. I make the point that it's positive for the high school to have information. I think that's a part of this proposed bill; that the information has to be shared in the high school. Is that correct? I think that is correct.

It seems to me that there's where the value is to the degree that we can grist the information in the high school so we can send stu-

dents into colleges and universities prepared not just to know the graduation rates but to understand the kind of comments that Mr. Ruble made here just a little bit ago, to understand that those things have—to the degree that we can do that.

We can curtail a good deal of these kinds of flagrant violations that we spend so much time reading about in the media and can see sport as it truly is which is a reasonable activity for young people to participate in.

Mr. PERKINS. Thank you very much for your comments. I'm going to refrain from any further questions, Mr. Chairman. You have the balance of my time.

Chairman WILLIAMS. We want to thank the members of this final panel as well as all the people that have in kind to come before us these past two days of hearings and share their good counsel with us.

I'm impressed that there was near unanimity of concern about continuing down the same path with the same processes now in effect with regard to student athletes. We heard about enormous sums of money that are generated by big time student athletic events.

That does not fall on deaf ears with this committee because we find that we are having great difficulty appropriating enough student assistance to even keep up with inflation during this past decade.

At the beginning of the decade, a Pell grant paid for half of the college costs that that student was likely to face. Today, a Pell grant pays for closer to a fourth of the college costs.

Yet, we have heard from several witnesses. There is a huge amount of money available perhaps for use by the schools and their academic programs being generated by athletics; for the most part, not being shared through the academic programs of the schools. That's, I think, caught the attention of the members of this committee.

Finally, this committee recognizes, and I think has traditionally recognized that higher education is a fragile thing. The Federal Government has stepped very, very cautiously when it comes to trying to influence or adjust the processes of America's system of higher education, far and away the world's best, no question about that.

We want to continue that caution as we approach student athletics. The NCAA seems to be moving, perhaps in January, toward a requirement that their schools provide the kind of information that we're considering in this legislation.

It might, I would say for the record and to the members of this committee, behoove the committee to inform the American college community and the NCAA that we will watch their action with interest and perhaps schedule a subcommittee markup on this legislation the week following the NCAA meeting; not as a threat but rather as an encouragement and as a way of informing the higher education community and those interested in student athletics that this committee does continue to move cautiously and carefully not wanting to inappropriately intervene in higher education but, nonetheless, being responsive to the public which, I think after two days of hearings now, has expressed itself through those of you

who worked most closely with this matter as being genuinely concerned about the current condition of student athletics as they affect the academic life of America's students in colleges and universities.

Again, we very much appreciate you being with us and helping us with this very difficult issue. This hearing is adjourned.

[Whereupon, at 11:56 a.m., the subcommittee was adjourned.]

[Additional material submitted for the record follows.]

REPORT ON BLACK ATHLETES IN AMERICA FORUM
SUBMITTED TO HOUSE POSTSECONDARY EDUCATION COMMITTEE

In what many described as an "event of historic impact," nearly two dozen of the most important and influential people in the sports world met April 7, 1989, to discuss the status and condition of the black athlete.

Out of the Black Athletes in America Forum: Implications for the 21st Century, came a series of recommendations aimed at improving the environment and future of black athletes. The forum, held at the University of the District of Columbia, is slated to become an annual event.

"The forum is necessary," explained Lee A. McElroy, athletic director at UDC, "because we need to stop reacting to sensitive issues affecting the black athlete and start acting on them - take a stand and think about long-term solutions. We have to candidly address sensitive issues for the benefit of black athletes and all athletes."

McElroy added that he expected the forum to "produce initiatives that impact the immediate and long-term future of not only college athletes but also the specific instance of the black athlete."

The forum agenda featured a veritable "Who's Who" in athletics, including Richard E. Lapchick, director of the Center for the Study of Sport in Society at Northeastern University; Harvey W. Schiller, commissioner of the Southeastern Conference; Gayle Hopkins, assistant athletic director at the University of Arizona; John R. Gerdy, National Collegiate Athletic Association legislative assistant; and Kenneth A. Free, commissioner of the Mid-Eastern Athletic Conference, one of only two black-college athletics conferences in Division I, the NCAA's top competitive division.

Also on the agenda were Jan Kemp, who works with developmental studies at the University of Georgia; David Cornwell, assistant counsel and director of equal employment for the National Football League; James Brown of CBS Sports; and Harry Edwards, the renowned sports sociologist from the University of California at Berkeley.

The featured speaker at the forum was Arthur Ashe, the former tennis player who has gained renewed fame for his definitive three-volume edition on the black athlete entitled: A Hard Road to Glory, a History of the African-American Athlete. Written over a six-year period using exhaustive research, Ashe's work is a milestone in black social and cultural life.

The forum came at a time when college sports was in an uproar over Proposition 42, the controversial NCAA rule adopted in January that would prevent Division I institutions from providing athletic aid to freshman athletes who fall short of minimum academic standards.

The rule, scheduled to go into effect next January, led Georgetown University basketball coach John Thompson to boycott two basketball games this season, claiming denial of athletic aid

would disproportionately affect black athletes. In the wake of the protest, the NCAA agreed to propose a moratorium on changes in academic standards for freshmen athletes.

Academics in college sports was one of five topics discussed at the forum, with McElroy, in his opening address, confidently insisting that "The Dukes, Georgetowns, Notre Dames and Arizonas suggest that athletics and academics can co-exist in a way that can be substantive for the athlete. We need to develop model programs and a mechanism to reform those programs in trouble."

Charles S. Farrell, president of Sports Perspectives International, an athletes advocacy organization that co-produced the forum in conjunction with the University of the District of Columbia, added that the forum was important because of the promise that sports offer even though the reality is that the black athlete stands a better chance of becoming a doctor or lawyer than in achieving life-long career opportunities in sports.

"Sports are a microcosm of society, no better, no worse," Farrell said. "The racial problems that plague society need to be addressed because they are ravaging the black community at a time when America can ill afford to lose the contributions of that community."

Farrell added that the promise of sports must be kept alive, because it unfortunately is often the only dream blacks chase, but "it must be a dream rooted in integrity and sincerity and free of the racial discord that allows for the blatent exploitation of the black athlete.

"I firmly believe that if we can deal with racial problems in sports, we can attack the same problems elsewhere in society."

Kemp, fired after blowing the whistle on Georgia for failure to properly educate athletes and subsequently rehired after suing the university, agreed that there is hope for the athlete as a student.

She recounted the story of a Georgia athlete who told her that the moment he started showing athletic ability as a youngster, he was put in a "dummy class," a position he still felt relegated to even at a major university like Georgia, even though he tried to take "real classes."

"There's nothing wrong with his mind," Kemp insisted. "But the situation is magnified for athletes because there is so much money involved. There is too much control over who gets in and who takes what courses. [Athletes] have to be free and insist on the right to take the right stuff and insist on doing it themselves."

Mary Harris, a performance counselor at the Georgia Institute of Technology, agreed, saying it is "not asking too much to give [athletes] what it takes to be successful not only in athletics but in academics too.

"The reason I believe the student athlete can make it is my tenacious attitude toward human spirit. When we give it our all, we do our best. We need to develop model programs that create self esteem, that show [athletes] as capable students."

She added that the black community also needs to involve itself in new ways to meet specific cultural and emotional needs

that support learning.

Schiller, whose conference sponsored controversial Proposition 42, called the forum a beginning of dialogue on black athletes and the issues facing them. He admitted there was little debate and little opposition to Proposition 42 when adopted in January.

He explained that Proposition 42, as well as its companion, Proposition 48, which set the rules for freshman eligibility, are at best a band-aid approach to solving a problem whose root is at the secondary and elementary school level. "We have to change the reward system for coaches and teachers. When they reward students, the best in the class, there is often only one winner and 50 losers and that isn't right."

He urged that colleges forge better communication between elementary and secondary schools so that Proposition 42 won't be necessary.

Schiller also said the NCAA needs to reinstitute the ability of institutions "to award financial aid without regard to athletic ability."

John Gerdy, who called himself a "product of the system," having played college basketball plus spent time in the Continental Basketball Association, admitted that there had been little discussion before Proposition 42 was adopted, but changes in NCAA rules will help to spur advance debate in the future.

One change is an expansion of the NCAA legislative calender, he said, which will give the NCAA membership more time to submit and review legislation. Also, a legislative review committee was established in January to look closely at pending legislation and examine it closely, with an eye toward fairness to everyone involved.

Gerdy also reminded the audience that Proposition 48 and Proposition 42 apply to initial eligibility. "What do you do once they get there? he said. Satifactory progress rules put athletes on a five-year graduation course, while they only have four years of eligibility.

"The crime is not who you admit," Gerdy said, "but what you do once you admit them."

David Goslin, president of the American Institutes for Research, explained the survey his company conducted for the NCAA on the college experience of the black athlete.

The survey developed out of a study of 4,000 students at 42 Division I institutions, including athletes, students with other extracurricular activities and students with no extracurricular activities.

"In general, the black athlete from large institutions is relatively poorly prepared for college," Goslin said, adding that despite that, the black athlete has high expectations to graduate and play professional sports. "For many of them, that is unrealistic, leading to disappointment," he said.

The study also showed that black athletes feel a sense of isolation, bringing to question athletic housing, Goslin said.

He added that support services for athletes "need to do better in understanding the demands athletes face. The data suggests a real problem and things need to be done to address

those problems."

Lois Tarkanian, wife of University of Nevada at Las Vegas basketball coach Jerry Tarkanian and a member of the Las Vegas school board, added some interesting comments and suggestions at the forum.

She challenged Propositions 48 and 42 as simply ways to make it appear that "criticism about sports in colleges is being met and changes made," adding that there is too much money involved to see those changes come easily.

She called for rigid adherence to admission and progress standards and said that colleges should not add roadblocks to the paths of academic progress for athletes, such as putting them in classes that don't lead to a degree.

She also suggested the the NCAA spend some of the millions of dollars it makes each year on its men's basketball tournament on academic support for athletes.

Lapchick, who has done extensive research on the black athlete, complained about the creation of internships to supposedly train blacks for coaching or administrative positions, saying that there are plenty of jobs available at high schools and colleges; they just aren't being filled by blacks.

He said that in the major college sports - football, basketball, track and field, and baseball, there are 1,102 coaching jobs; only 47 are held by blacks. Of the 6,000 assistant coaching jobs at major colleges (excluding historically black institutions), less than 400 are held by blacks, and there are less that 30 assistant or associate athletic directors.

He added that where blacks are being hired, it is usually to "recruit black athletes or keep them under tabs. That has to be expanded [to include other opportunities]."

Lapchick said the media also has to become more sensitive to the portrayal of the black athlete, who too often is singled out for physical excellence as opposed to intellectual excellence. Sports information directors, in particular, "have to be sensitive so other images are portrayed," he said.

He lamented that presidents and chancellors have never really been in control of athletic departments, allowing that control to remain exclusively with athletic directors. "[Presidents and chancellors must develop a procedure to regain control so that athletic directors can no longer control the destiny of student athletes, black and white."

Lapchick also recommended that colleges expand opportunities for athletes who complete their eligibility to return to complete their degrees.

Gayle Hopkins, assistant athletic director at the University of Arizona, attacked standardized tests as part of minimum academic standards for eligibility, pointing out that blacks, on average, score 200 points lower on the Scholastic Aptitude Test than their white counterparts. Add in the demands of being a high school athlete, and you can expect SAT scores to be even lower for some blacks, Hopkins said.

"These scores can determine your life, where you go [to college] and can determine if you are perceived to be equal," he said. "I have aproblem with equity of the test, a problem with it

measuring what it is intended to measure.

"A rule is wrong if it self-inherits out a race of people." He urged colleges to develop other criteria for predicting success in college, taking more into account the complete four-year high school history of an athlete.

He added that once an athlete is in college, "don't expect the college or university to take care of you. You are accountable for your own stuff. Once you are there, demand, ask why. Don't say latter that you were cheated or exploited or used when other people are taking advantage of college."

Arthur Ashe, in an eloquent and impassioned speech, also called for changes in dealing with the black athlete.

Ashe, an outspoken proponent of Proposition 42, remembered that he didn't like being thought of as an exception. "I paid my way and expect other to do the same," he said. "If you don't measure up, than you don't collect the rewards. You should not ask to be an exception, but try harder next year."

He added that schools that produce first-rate athletes can use the same skills to produce people who will graduate from college.

Ashe pointed out another symptom of how sports have failed the black athlete. He cited a recent NCAA study that showed that while only 4 percent of the student body at Division I institutions is black, 37 percent of the football players and 67 percent of the basketball players are black, "so clearly, we pay for the nation's fun and games on a Saturday afternoon."

But up to 80 percent of those black athletes never graduate, Ashe said, adding that 44 percent of the black football and basketball players at white institutions seriously expect to play professionally, compared to only 20 percent of their white counterparts.

"There is a serious omission of what has been stressed to those kids between the time their athletic skills have been identified and the time they reach their senior years in high school," he said, again underlying his support for Propositions 42 and 48.

"Too many athletes from the eighth or ninth grades slide by academically," Ashe said.

Bu Harry Edwards took exception to Ashe's hypothesis, saying, "These student athletes get less from what they do than any other students on campus." He discounted the idea of "achievement through education and hard work," explaining, "the options are very few in communities that I describe. We're not talking about the black middle class. The black middle class is not ignorant enough, nor narrow enough to allow their kids to spend that much time in sports. Our gladiators are being produced inordinately by the black underclass."

Ashe agreed that the black athlete is being brainwashed into accepting that "sports are the only way to the American dream," saying that other career paths must be established for would-be Michael Jordans.

"If we do not stop it soon, the black athlete in the 21st Century will continue to epitomize the dumb-jock syndrome."

That, Ashe said, would be a sad legacy to the memories of

such legends as Jackie Robinson, Joe Louis and Eddie Robinson.

Other panels at the forum included a discussion of the black professional athlete, the role of the media and improving opportunities for blacks in sports.

Videotapes of the forum are available from Sports Perspectives International. For additional information, contact SPI at P.O. Box 3064, Washington, D.C., 20010. Or call (202) 745-7247.

Respectfully submitted
By the forum co-producers

Charles S. Farrell May 24, 1989
Charles S. Farrell

Lee A. McElroy

TESTIMONY OF

JOHN J. CROUTHAMEL
DIRECTOR OF ATHLETICS
SYRACUSE UNIVERSITY

Before the
SUBCOMMITTEE ON POSTSECONDARY EDUCATION

COMMITTEE ON EDUCATION AND LABOR
U. S. HOUSE OF REPRESENTATIVES

May 18, 1989

--SUBMISSION FOR THE RECORD--

Good day, ladies and gentlemen. My name is Jake Crouthamel and I am Director of Athletics at Syracuse University. I have held this position for eleven (11) years and have been involved with collegiate athletics and athletes all my adult life. I am pleased to have the opportunity to present my views on the legislation proposed by S.580 and H.R. 1454, "The Student Athlete Right to Know Act".

While I applaud the concern for student athletes as expressed by Senators Bradley and Kennedy and Representatives Towns and McMillen, respectively, in the proposed legislation, I nevertheless find this legislation misguided, intrusive, and potentially more dangerous than the problem it seeks to attack. For this reason, I vigorously oppose "The Student Athlete Right to Know Act".

My position, and also that of Syracuse University, is that any potential student, including the student athlete, has the "right to know", which should mean the right to request and receive information about graduation rates at an institution. Indeed, for the prospective student athlete, information should be available by sport, by gender, by race, by comparison with scholarship and non-scholarship athletes, etc. At Syracuse University, such information is presented annually to the Athletic Policy Board, the Senate Committee on Athletes, and, through oral summary, to the entire University Senate. A report

utilizing these data is regularly sent to the NCAA on the one form presently required of all member institutions. The statistics are available at Syracuse University.

We, at Syracuse University, affirm the position that all prospective students, including student athletes, should be aware of the educational commitments of the institution made to all students, including the student athlete. However, it would be naive to assume that this information could be appropriately provided by graduation rates or statistics alone. Syracuse University's graduation rate is as good or better than the national average, so our interest is not in suppressing data. My concern is that individuals recognize the potential for the abuse of denuded statistics which has been so graphically demonstrated time and again. Misuse of SAT scores in isolation is a case in point. Rather than seeking simple graduation rates, prospective students and their families should be asking such questions as: Are there summer "bridge" programs available to ease the transition from high school to university? Is tutorial assistance available? Are there gateway courses and Honors programs available? What supportive services and career counseling are available? And surely, there may be other questions. To focus on statistics alone could so bias the students and their families that they would be led to simplistic,

rather than informed, judgments. Indeed, each institution by itself, and without government regulation, is best equipped to provide such information to potential students.

I believe that the proposed legislation is unnecessary to the extent that the information requested therein is presently made available on request by many institutions. Also, the NCAA itself is presently proposing to expand upon its 1986 legislation, requiring every member institution to report, confidentially, to the NCAA each year its graduation rate, in the direction of a more comprehensive report on a form common to all institutions. Our position is that the process of supplying the information requested by this legislation to the prospective student is simple, one that should not be regulated by government. Indeed, providing the information to the federal government is a dangerous precedent and could portend its control over intercollegiate athletics in the future. This result would be far more onerous that the problem addressed by the bills under consideration.

Further, I contend that, to the extent that any legislation is proposed which creates a student "right to know", such legislation must not discriminate between or among segments of the student body. It is, in our judgment, totally inappropriate

to require that student athletes be given information that is not provided to other potential students based solely on the fact that they are athletes. It is nothing less than irresponsible to require that an institution confirm to the Secretary of Education that one portion of the incoming student body had its institutional report discussed by the student's secondary school guidance counselor or principal while other entering students have never seen these reports. Such an action would be plainly discriminating and should be rejected.

Finally, and while this may seem a minor point, it is not, how does one define "graduation rates"? Should they be calculated over a four (4) or five (5) year period? What about the transfer student and the walk-on student? These are only a few special, but not rare, situations; many others exist. Is it really to be assumed that every institution reporting will make these calculations in the same way or that the public will (or should) read them in the same way? Clearly, more thought should be given to this point, for if no objection on any other ground existed, this one should suffice to defeat this legislation.

Thank you for the opportunity to present my perspective on this proposed legislation.